COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT:	**On-duty hit shooting, person deceased**
IAB FILE NUMBERS:	**SH 2353685 & FO 2376522**
URN#:	**014-01753-0977-013**
DATE/TIME:	**April 7, 2014, 2130 hours**
LOCATION:	[redacted] **Palm Avenue, West Hollywood**

SYNOPSIS

On April 7, 2014, an Internal Affairs Bureau (IAB) team comprised of Lieutenant David Flores, Sergeants Sonja Bracken, and Joseph Fleischmann responded to West Hollywood Station regarding an on-duty hit shooting. The shooting resulted in the death of Mr. [redacted]. On November 19, 2015, this case was reassigned to Sergeant Chad Smeltzer.

On April 7, 2014, at approximately 2100 hours, two women (Witness [redacted] and Witness [redacted]) called 9-1-1 to report a man was armed with a knife, and had threatened them at an apartment complex. West Hollywood Station dispatched two units, to respond code-3, to [redacted] Palm Avenue in the city of West Hollywood. Multiple West Hollywood units responded to assist handling unit 92A, Deputies Michael Fairbanks and [redacted].

Multiple West Hollywood units arrived within minutes of each other and contacted Witness [redacted] at the front of the building. Deputy Joseph Oblea and Deputy Fairbanks spoke with Witness [redacted] who was frantic. Witness [redacted] told the deputies a man with a knife had entered her apartment (#[redacted]) and had threatened her and her roommate. Witness [redacted] told the deputies she ran from the suspect and she did not know what happened to her roommate, Witness [redacted]

Deputy Fairbanks gathered assisting deputies, and devised a plan. He assigned various responsibilities to the deputies. He assigned himself and Deputy Gerardo Valdivia as designated shooters. He assigned Deputy Byron Holloway to handle radio communications. Deputies [redacted] and [redacted] were designated to arm themselves with Stunbag shotguns.

Deputy Fairbanks and the other deputies approached and entered apartment [redacted] in an attempt to locate the suspect, Alex McDonald, and Witness [redacted]. The deputies located Witness [redacted] in the apartment, and she was not harmed. She told the deputies the suspect was a neighbor, who lived in apartment [redacted].

The deputies approached apartment [redacted], and made multiple door knocks, in an attempt to contact Suspect McDonald. A neighbor, Witness [redacted], who resided in apartment [redacted], spoke with Deputy Fairbanks. She provided Deputy Fairbanks a description of vehicles owned by Suspect McDonald. Deputy Fairbanks assigned Deputies Arthur Biag and Ali Tavakoli to search the parking garage, to ensure the suspect's vehicle was parked at the location. Deputy Fairbanks also assigned Deputies Gabriela Zamora and Francois Chang to search the upper floors of the building, to ensure the suspect was not located in another portion of the building.

Deputy Lloyd McCullough responded to the call and positioned himself on Larabee Avenue to contain the west side of the building. As Deputy McCullough held his containment position, he was approached by Witness [redacted]. Witness [redacted] told Deputy McCullough a friend, Witness [redacted], was located in apartment [redacted]. A man was located inside of the apartment with other people, and had stabbed them. Witness [redacted] spoke on his telephone to Witness [redacted] in the presence of Deputy McCullough. Witness [redacted] described what was occurring inside of the apartment.

As Deputy McCullough spoke to Witness [redacted], Deputy Fairbanks had several conversations with Witness [redacted] and learned additional information about the suspect. Witness [redacted] showed Deputy Fairbanks photographs from her cell phone of potential occupants who resided inside apartment [redacted]. Witness [redacted] also told Deputy Fairbanks she telephoned Witness [redacted]. During the telephone conversation, Witness [redacted] told her he was scared and she heard crying in the background.

> **IAB Note:** **Witness [redacted] later discovered she had actually spoken to Suspect McDonald.**

Sergeant Enrique Mandujan moved to a common balcony, near the apartment, to advise the station watch commander Lieutenant William Nash of the developments related to the call. As Sergeant Mandujan began to telephone him, apartment [redacted]'s door opened abruptly, and two men began to rapidly exit the apartment. Witness [redacted] exited first, and bled profusely from his neck. Mr. [redacted] followed Witness [redacted] and appeared to be attacking Witness [redacted].

The deputies believed Mr. [redacted] was attacking Witness [redacted] and was potentially attacking Deputy Fairbanks, who stood in the path of Mr. [redacted]. Deputies Fairbanks, Valdivia and Holloway fired their Department issued pistols

at Mr. [redacted] striking him in the chest, upper left arm and his left abdominal area **[EXHIBIT A, Volume I, page 383]**. Mr. [redacted] later died from the gunshot wounds he received. During the shooting, Witness [redacted] was also accidentally shot in his right leg.

IAB Note: Deputies Fairbanks, Valdivia and Holloway's specific statements related to their state of mind during the shooting are contained in their Homicide interview transcripts and the depositions related to the incident.

Shortly after the shooting, Deputy McCullough broadcast on the dispatch channel **[EXHIBIT A, Volume 6, page 16]** for the deputies to check apartment [redacted] for the suspect. After the shooting, deputies heard screaming coming from inside apartment [redacted]. Deputy Valdivia entered the apartment followed by Sergeant Mandujan and Deputy Fairbanks. As the deputies entered the apartment, they found Suspect McDonald choking Witness [redacted] in the living room. The two men were entangled, and Suspect McDonald appeared to be attempting to kill Witness [redacted]

Initially, deputies were unsure of the men's identities, and ordered Suspect McDonald to release Witness [redacted] Suspect McDonald refused to comply with the deputies orders and continued his attack on Witness [redacted] Deputies Valdivia and Fairbanks feared Witness [redacted], would be seriously harmed or killed and kicked Suspect McDonald multiple times in the head in order to stop his attack upon Witness [redacted]

Suspect McDonald appeared to lose consciousness, and the deputies were able to separate the two. Deputies [redacted] and Valdivia immediately began to handcuff Suspect McDonald. As the deputies attempted to handcuff him, Suspect McDonald quickly regained consciousness and resisted the handcuffing. Deputies used additional force consisting of punches and control techniques to effect the arrest of Suspect McDonald. Deputies Fairbanks and [redacted] also assisted with handcuffing Suspect McDonald. As Deputies [redacted] and [redacted] were located in apartment [redacted], they gave their Stunbag shotguns to Sergeant Mandujan.

Deputies Chang and Zamora responded from the third floor, and Deputies Biag and Tavakoli responded from the parking garage when they became aware of the shooting incident.

Once Suspect McDonald was restrained, deputies performed a protective sweep of the apartment. Deputies Fairbanks and Chang located Witness [redacted] hiding inside of a bedroom. Witness [redacted] was escorted out of the apartment.

Deputy McCullough responded to apartment [redacted], from his containment position on Larabee Avenue. Upon arriving at apartment [redacted], Deputy McCullough

contacted Witness [redacted], and conducted a video recorded interview with her using his personal body camera **[EXHIBIT T]**.

Sergeant Mandujan inspected the two Stunbags carried by Deputies [redacted] and [redacted] He discovered Stunbag shotgun #4 **[EXHIBIT C]**, had been fired during the shooting incident. He asked Deputy [redacted] if she had fired her Stunbag shotgun during the incident, and she said she was not sure. Sergeant Mandujan asked Deputy [redacted] if she had fired her Stunbag shotgun. She replied, she had not fired the Stunbag shotgun.

> **IAB Note:** **During Mr. [redacted] autopsy [EXHIBIT A, Volume I, page 388] it was noted, he received a 1-1 ¼ inch in diameter "contusion/abrasion," to his left hip. The Stunbag was recovered and documented during Homicide Bureau's investigation.**

Detectives Robert Martindale and Quilmes Rodriguez from the Los Angeles County Sheriff's Department Homicide Bureau arrived, and assumed control of the homicide investigation. For further information regarding the homicide investigation refer to the Homicide case book, under URN #014-01753-0977-013 **[EXHIBIT A, Volumes I-VII]**.

> **IAB Note:** **The Homicide case book notes the date and time of the incident as being April 7, 2014, at 2100. That is the date and time the radio call initiating the incident was dispatched to West Hollywood Station patrol units. The shooting and use of force occurred on April 7, 2014, at approximately 2130 hours.**

Homicide detectives interviewed Deputies Fairbanks, Valdivia and Holloway. Based on the deputies interviews, Homicide detectives determined Deputy Fairbanks fired two rounds from his Department issued Smith and Wesson M&P 9mm pistol. During Deputy Valdivia's Homicide interview, detectives learned he reportedly fired one round from his Department issued Smith & Wesson M&P 9mm pistol.

Homicide detectives interviewed Deputy Holloway, who reportedly fired one round from his Department issued Beretta 92FS 9mm pistol. Homicide detectives located three 9mm shell casings at the shooting scene.

Homicide detectives interviewed Witness [redacted] who told them she text messaged 9-1-1, and multiple people, to report the incident while she was inside of the apartment. She told Homicide detectives she had telephoned Witness [redacted] while she was inside the apartment, while the stabbing occurred. She explained she told Witness [redacted] what had occurred and she could hear him tell a deputy what was occurring inside of apartment [redacted].

Homicide detectives contacted multiple witnesses to determine why Suspect McDonald attacked the occupants of apartment [redacted]. Detectives Martindale and Rodriguez performed a video recorded interview **[EXHIBIT U]** with Suspect McDonald. During the interview, Suspect McDonald spoke of many aspects of the incident, but stated he defended himself against other people during the incident. He said he did not remember what occurred, once the deputies entered the apartment.

Homicide detectives attended Mr. [redacted] autopsy. A fired 9mm bullet was recovered from his chest. The bullet was compared to test fired bullets **[EXHIBIT F]** from Deputies Fairbanks, Valdivia and Holloway's pistols. The recovered bullet was examined, and it was determined the bullet was fired from Deputy Valdivia's pistol.

Three lawsuits were filed by family members related to Mr. [redacted], Witness [redacted] and Witness [redacted], related to the shooting incident. Many of the deputies and witnesses involved in the incident were deposed and provided statements related to the incident. **[EXHIBIT V]**. The deputies were deposed related to the tactics used during the incident, their state of mind and many other aspects of the incident.

During the depositions, it was discovered Deputy McCullough had video recorded an interview of Witness [redacted] but Homicide investigators were unaware of the video's existence. It was also discovered Deputy McCullough had written a supplemental report, which had not been submitted to Homicide detectives.

Homicide Detective Martindale obtained a copy of Deputy McCullough's report **[EXHIBIT D]** from an attorney representing the County of Los Angeles, related to the lawsuits related to the shooting incident. Sergeant Martindale provided a copy of Deputy McCullough's report to IAB Sergeant Chad Smeltzer.

IAB Sergeant Smeltzer conducted a force review of the incident, which is summarized in the following pages.

DISTRICT ATTORNEY'S LETTER OF OPINION

The Justice System Integrity Division of the Los Angeles County District Attorney's Office reviewed the fatal shooting of [redacted] by Deputies Michael Fairbanks, Gerardo Valdivia and Byron Holloway. In their letter of opinion **[EXHIBIT B]**, dated March 6, 2015, Deputy District Attorney Arisa Mattson concluded Deputies Fairbanks, Valdivia and Holloway acted lawfully in self-defense.

INVOLVED EMPLOYEE AND WORK HISTORY

Michael Fairbanks, Deputy Sheriff, #[redacted]
North Patrol Division
West Hollywood Station

Work History

Date of Employment:	May 5, 2002
Date Assigned to Patrol/West Hollywood Station:	November 10, 2013
Date Completed Patrol Training:	[redacted]
Prior Shooting incident(s):	
Prior Founded Force Incidents:	

Equipment Worn On Person

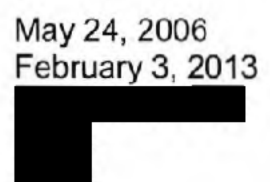
Smith & Wesson M&P 9mm pistol

Oleoresin Capsicum (OC) Spray

Expandable baton

Gerardo Valdivia, Deputy Sheriff, #[redacted]
North Patrol Division
West Hollywood Station

Work History

Date of Employment:	May 24, 2006
Date Assigned to Patrol/West Hollywood Station:	February 3, 2013
Date Completed Patrol Training:	 [redacted]
Prior Shooting incident(s):	
Prior Founded Force Incidents:	

Equipment Worn On Person

Smith & Wesson M&P 9mm pistol

Oleoresin Capsicum (OC) Spray

Expandable baton

Byron Holloway, Deputy Sheriff, #[redacted]
North Patrol Division
West Hollywood Station

Work History

Date of Employment: June 11, 1998
Date Assigned to Patrol/West Hollywood Station: August 19, 2001
Date Completed Patrol Training: [redacted]
Prior Shooting incident(s):
Prior Founded Force Incidents:

Equipment Worn On Person

Beretta 92FS 9mm pistol

Oleoresin Capsicum (OC) Spray

Expandable baton

[redacted], Deputy Sheriff, #[redacted]
North Patrol Division
West Hollywood Station

Work History



Date of Employment: [redacted]
Date Assigned to Patrol/West Hollywood Station:
Date Completed Patrol Training:
Prior Shooting incident(s):
Prior Founded Force Incidents:

Equipment Worn On Person

Beretta 92FS 9mm pistol

Oleoresin Capsicum (OC) Spray

Expandable baton

[redacted], Deputy Sheriff, #[redacted]
North Patrol Division
West Hollywood Station

Work History



Date of Employment: [redacted]
Date Assigned to Patrol/West Hollywood Station:
Date Completed Patrol Training:
Prior Shooting incident(s):

Prior Founded Force Incidents: [redacted]

Equipment Worn On Person

Smith & Wesson M&P 9mm pistol with tactical light

Oleoresin Capsicum (OC) Spray

Expandable baton

SUSPECT INFORMATION

Alexander McDonald
Male, White, DOB: September 22, 1986, 6'01", 170 pounds
[redacted]

> **IAB Note:** **A copy of Suspect McDonald's criminal history is included in the Homicide Investigation Book [EXHIBIT A, pages 365-382].**

SUSPECT ALEXANDER McDONALD'S INJURIES

Suspect McDonald sustained multiple hematomas to his head, face and shoulders **[EXHIBIT A, volume II, pages 1-37]**. Photographs **[EXHIBIT W]** were taken of Suspect McDonald's injuries. Suspect McDonald's Los Angeles County Jail medical records **[EXHIBIT Z]** from April 7, 2014, through June 1, 2014, were collected and included with this investigation.

[redacted] INJURIES

[redacted] sustained three gunshot wounds during the incident. His injuries were documented by an autopsy performed by members of the Los Angeles County Coroner's Office **[EXHIBIT A, Volume I, pages 383-405]**. His injuries were also documented with photographs **[EXHIBIT W]** taken by Sheriff's Department Forensic Identification Specialist Michelle Acevedo.

Additionally, Homicide detectives obtained Mr. [redacted] medical records from Cedars-Sinai Medical Center **[EXHIBIT A, Volume II, pages 38-119]**.

[redacted] INJURIES

[redacted] sustained a gunshot to his right femur. Homicide detectives obtained Witness [redacted] medical records form Cedars-Sinai Medical Center **[EXHIBIT A, Volume III]**. Photographs **[EXHIBIT W]** of Witness [redacted] were taken while he was at Cedars-Sinai Medical Center.

DEPUTY PERSONNEL INJURIES

Deputy Valdivia sustained a lower back injury during the incident.

Deputy Fairbanks received a fractured right foot during the incident.

PHYSICAL EVIDENCE

Physical evidence was located and collected by Homicide Detectives Sandra Nava and Donald Walls. They were assisted by Forensic Identification Specialists Martin Mutac and Ronald Ducat from the Sheriff's Crime Lab. For descriptions of the evidence collected and where it was collected, see the Homicide Investigation Book **[EXHIBIT A, Volume I, pages 122-129]**.

Crime scene sketches **[EXHIBIT E]** were created by Forensic Identification Specialists Martin Mutac.

INVESTIGATOR'S OBSERVATIONS

The scene was described in detail by Homicide Detectives Sandra Nava and Donald Walls **[EXHIBIT A, Volume I, pages 122-129]**. Their description of the scene was reviewed by IAB Investigators. The scene was also photographed by the aforementioned Sheriff's Crime Lab personnel.

WEAPON USED BY DEPUTY MICHAEL FAIRBANKS

Deputy Fairbanks fired two rounds of Department issued 9mm ammunition from his Department issued Smith & Wesson M&P, semiautomatic pistol. The firearm was examined and test fired by Firearms Examiner Deputy Ivan Chavez of the Scientific Services Firearms Identification Section and found to be functional **[EXHIBIT A, Volume I, pages 418-420]**.

Three expended 9mm casings were recovered at the scene **[EXHIBIT A, Volume I, Volume I, pages 406-407]**. One fired bullet was recovered from the body of Victim [redacted] **[EXHIBIT A, Volume I, pages 423-424]** and compared to the deputies' test fired bullets **[EXHIBIT F]**. It was determined Deputy Fairbanks firearm did not fire the bullet recovered from Victim [redacted] body.

Deputy Fairbanks stated during his Homicide interview, he kicked Suspect McDonald in the head approximately three times.

Date last qualified prior to shooting:
Date last trained with weapon: [redacted]



WEAPON USED BY DEPUTY GERARDO VALDIVIA

Deputy Valdivia fired one round of Department issued 9mm ammunition from his Department issued Smith & Wesson, semiautomatic pistol. The firearm was examined and test fired by Firearms Examiner Deputy Ivan Chavez of the Scientific Services Firearms Identification Section and found to be functional **[EXHIBIT A, Volume I, pages 418-420]**.

Three expended 9mm casings were recovered at the scene **[EXHIBIT A, Volume I, pages 406-407]**. One fired bullet was recovered from the body of Victim [redacted] **[EXHIBIT A, Volume I, pages 423-424]** and compared to the deputies' test fired bullets **[EXHIBIT F]**. It was determined Deputy Valdivia's firearm fired the bullet recovered from Victim [redacted] body.

During Deputy Valdivia's Homicide interview, he stated he kicked Suspect McDonald in the head approximately seven times.

Date last qualified prior to shooting: [redacted]
Date last trained with weapon: [redacted]

WEAPON USED BY DEPUTY BYRON HOLLOWAY

Deputy Holloway fired one round of Department issued 9mm ammunition from his Department issued Beretta 92FS, semiautomatic pistol. The firearm was examined and test fired by Firearms Examiner Deputy Ivan Chavez of the Scientific Services Firearms Identification Section and found to be functional **[EXHIBIT A, Volume I, pages 418-420]**.

Three expended 9mm casings were recovered at the scene **[EXHIBIT A, Volume I, pages 406-407]**. One fired bullet was recovered from the body of Victim [redacted] **[EXHIBIT A, Volume I, pages 423-424]** and compared to the deputies' test fired bullets **[EXHIBIT F]**. It was determined Deputy Holloway's firearm did not fire the bullet recovered from Victim [redacted] body.

Date last qualified: [redacted]
Date last trained with weapon: [redacted]

WEAPONS USED BY SUSPECT McDONALD

Suspect McDonald was armed with a black knife. He used his arms, legs and body, to resist the deputies.

PROPERTY DAMAGE

One bullet hole on the exterior side of the door frame of apartment [redacted].

CRIMINAL INVESTIGATORS AND CHARGES FILED

The criminal investigation into the shooting was handled by Detectives Robert Martindale and Quilmes Rodriguez of the Los Angeles County Sheriff Department's Homicide Bureau.

On April 10, 2014, Suspect McDonald was charged with Murder, 187(a) PC, two counts of Attempted Murder, 187(a) PC, and one count of Torture, 206 PC **[EXHIBIT A, Volume I, pages 1-5]**.

The criminal case against Suspect McDonald is on-going as of the completion of this investigation. His next scheduled court appearance is March 1, 2016.

LIGHTING AND WEATHER CONDITIONS

The scene was illuminated by apartment hallway lighting. The weather was clear and cool.

WITNESS STATEMENTS

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions.

INVOLVED EMPLOYEE DEPUTY MICHAEL FAIRBANKS

On January 19, 2016, Deputy Fairbanks was interviewed by IAB Sergeants Chad Smeltzer and Jorge Marchena. Attorney Maureen Okwuosa from the Green and Shinee law office was present for the interview.

Deputy Fairbanks said when he arrived at the apartment complex, either Deputy Valdivia or Deputy Oblea spoke to the female (Witness [redacted] in front of the apartment complex. He also spoke to Witness [redacted] for less than a minute, but he described her as very panicked, and she did not provide much information as to what had occurred. It was difficult to obtain basic information from her, and he did not ask her to describe her apartment's floorplan. Witness [redacted] did not show him any photographs or text messages from her cellular phone.

Deputy Fairbanks believed Deputy Oblea continued to speak with Witness [redacted] after he spoke with her. Witness [redacted] did not describe a hostage or barricaded suspect situation was occurring at apartment [redacted]. Deputy Fairbanks believed he and other deputies were responding to a man running through an apartment complex, who was armed with a knife.

Deputy Fairbanks developed a response plan, and assigned himself and Deputy Valdivia as designated shooters. He assigned Deputy Holloway to handle radio

communications, due to his vast field experience. He believed if emergent radio communications were required, Deputy Holloway would perform in a calm manner, so other deputies would understand what occurred.

Deputy Fairbanks assigned Deputies [redacted] and [redacted] to be armed with Stunbag shotguns, because they were trainees, and he preferred more experienced deputies to have other assignments. He said deputies assigned to less lethal positions generally assume the role of an arrest deputy, if deputies needed to make physical contact with a suspect. He did not assign a deputy to video record the incident. He believed Deputy [redacted] and Deputy Holloway were also armed with Tasers. He recalled seeing a Taser, but he did not know who carried it.

Deputy Fairbanks said he assigned Deputy Oblea to remain with Witness [redacted], and he did not enter the apartment building with the other deputies. He was not sure if Deputy Oblea was present as the plan was developed with the other deputies. He said the deputies were located on the sidewalk, in front of the apartment building, as the plan was formed.

Deputy Fairbanks did not hear information broadcasted by the SCC dispatcher, with updated information related to the call. He did not recall which portable radio frequency he monitored.

Deputy Fairbanks did not consider bringing a pick and ram into the apartment complex, because he did not have information the suspect had barricaded himself. He did not believe a Pepperball gun or an ARWEN were appropriate weapons for the deputies handling the call, because two deputies were armed with Stunbag shotguns. He estimated planning for the incident took less than five minutes.

Deputy Fairbanks reviewed his Deputy Daily Worksheet (DDWS) **[EXHIBIT G]** and did not see a Taser documented as being assigned to him and Deputy [redacted] for their shift. He explained the special equipment portion of the log is where the Taser would have been documented, if it had been assigned. He and Deputy [redacted] had been assigned shotgun #3 and Stunbag #3 for their shift.

Deputy Fairbanks said when the deputies moved toward apartment [redacted], they moved in what he characterized as an "Active shooter" formation. He described the deputies moved in a tactical manner and staged outside of apartment [redacted]'s door. He believed the deputies were positioned on the left side of the door, since the hallway was narrow. He believed the woman (Witness [redacted] located inside of apartment [redacted] opened the door for the deputies. The deputies entered the apartment, to ensure the suspect was not hiding inside.

Deputy Fairbanks spoke to Witness [redacted] and she told him she believed the suspect was a neighbor who lived down the hallway at the [redacted] apartment, on the

right side. She told Deputy Fairbanks the suspect said actors were attempting to "kill" or to "get him." Witness [redacted] pointed to the area of where the suspect's apartment was located. Deputy Fairbanks believed she eventually identified the suspect by name.

Deputy Fairbanks said an apartment manager was not involved in assisting deputies gain entry into the apartment, because the building did not have an on-site manager.

Deputy Fairbanks said Sergeant Mandujan was present at apartment [redacted]. He was unsure if Sergeant Mandujan was present during the planning, at the front of the apartment building. Deputy Fairbanks and Sergeant Mandujan did not have any disagreements about how the call was being handled. He explained, Sergeant Mandujan was a good supervisor and if Sergeant Mandujan believed Deputy Fairbanks was "forgetting a step" while handling a call, Sergeant Mandujan would voice his concern and discuss other options.

Deputy Fairbanks said when Witness [redacted] indicated the area of the suspect's apartment, he believed he sent most of the deputies to the location. He explained that he briefly stayed with Witness [redacted] to obtain additional information from Witness [redacted] and to have her remain inside of her apartment.

Deputy Fairbanks said designated shooters were not paired with the deputies armed with Stunbag shotguns, because the deputies were operating as a group, so the Stunbag deputies were protected. As he arrived at apartment [redacted], he did not see any women standing in the public balcony area, near apartment [redacted]. He believed Sergeant Mandujan walked onto the public balcony, in an attempt to view apartment [redacted]s balcony.

Deputy Fairbanks said a woman (Witness [redacted]), located in apartment [redacted], provided him with information regarding the suspect. He estimated he spoke to Witness [redacted] on two or three occasions. When she told him information, he returned to the deputies, and shared the information with the deputies as a group. He said he spoke to the deputies in a normal tone of voice.

Deputy Fairbanks and Witness [redacted] attempted to telephone apartment [redacted]s occupants, before any text messages were received from anyone inside of apartment [redacted]. He believed Witness [redacted] attempted to telephone Witness [redacted] and Suspect McDonald. He did not hear any telephones ring inside of the apartment, when the calls were placed.

Deputy Fairbanks asked Witness [redacted] for photographs of Suspect McDonald, but he only recalled seeing a photograph of who he believed was Witness [redacted] He reviewed photographs **[EXHIBIT A, Volume I, pages 191-195]** contained in the Homicide investigation book. After reviewing the photograph on page 191, Deputy Fairbanks identified the male on the right side of the

photograph as Witness [redacted]. He believed Witness [redacted] showed him the photograph, prior to the shooting.

Deputy Fairbanks reviewed the photograph on page 192, and said he saw the photograph online, after the shooting. He did not see the photograph prior to the shooting. Deputy Fairbanks reviewed the screenshot photograph on page 193. He did not recall Witness [redacted] showing him the photograph prior to the shooting. He identified the deputy contained in one of the photographs as Deputy Chang.

Deputy Fairbanks reviewed the photograph on page 194, and said he had never seen the photograph. Deputy Fairbanks reviewed the photograph on page 195, and said he had not seen the photograph. He believed the male on the right portion of the photograph was Witness [redacted]

Deputy Fairbanks reiterated, he did not view a photograph of Suspect McDonald prior to the shooting. He said if he had been shown a photograph of Suspect McDonald prior to the shooting incident, he was not sure if he would have been able to distinguish the involved people's faces, because of the speed at which Mr. [redacted] approached him. Deputy Fairbanks did not have a specific memory of entering apartment [redacted] to speak to Witness [redacted]

Deputy Fairbanks said as apartment [redacted]'s door opened, and Witness [redacted] and Mr. [redacted] exited, he ordered Mr. [redacted] to get on the ground. When Deputy Fairbanks fired his handgun at Mr. [redacted] he aimed for the center mass of his torso. He believed his bullets impacted Mr. [redacted] right chest or right shoulder. He said it appeared his bullets changed Mr. [redacted] "trajectory," and caused him to fall to Mr. [redacted] right side.

Deputy Fairbanks explained there were no deputies located directly in front of him when he shot, and no crossfire situation exited until Mr. [redacted] fell to the ground and slid toward the elevator. As Mr. [redacted] slid on the floor, he tracked Mr. [redacted] movement by lowering his firearm toward the floor following Mr. [redacted] movement.

Deputy Fairbanks is a right handed shooter, and he held his firearm with two hands when he shot. He did not recall using his handgun sights as he fired his handgun. Deputy Fairbanks' firearm was equipped with a tactical light. He believed the optional pressure switch was attached to his firearm, at the time of the incident.

After the shooting, Deputy Fairbanks moved to the public balcony to broadcast on the dispatch channel, a shooting had occurred. He heard screaming come from inside apartment [redacted] He saw Deputy Valdivia enter the apartment, followed by Sergeant Mandujan. Deputy Fairbanks entered the apartment after

them. Deputy Valdivia ran to the left and entered the living room. Sergeant Mandujan positioned himself to cover a hallway to the right, with his firearm.

Deputy Fairbanks entered the living room and saw Suspect McDonald located on the floor of the apartment, choking Witness [redacted] It appeared Suspect McDonald attempted to kill Witness [redacted] Sergeant Mandujan told Deputy Fairbanks, "Shoot him Mikey." Deputy Fairbanks decided not to shoot Suspect McDonald, because he did not want to inadvertently injure anyone in the apartment below.

Deputy Valdivia kicked Suspect McDonald two or three times in the head. He believed Deputy Valdivia used his right foot, and impacted Suspect McDonald on the side or top of his head. Deputy Valdivia used the bottom of his boot to strike Suspect McDonald's head. Deputy Valdivia's kicks were not effective and Suspect McDonald continued to choke Witness [redacted]

Deputy Fairbanks kicked Suspect McDonald twice with the toe of his right foot and struck him in the rear portion of his head. Deputy Fairbanks discovered later, he fractured his right foot while kicking Suspect McDonald.

Suspect McDonald briefly lost consciousness from his kick, and Deputy Valdivia began to handcuff him. Suspect McDonald "woke up" and resisted Deputy Valdivia as he attempted to handcuff him. Suspect McDonald refused to surrender both of his arms, so he could be handcuffed. Deputy Fairbanks lifted Witness [redacted] from the floor, and placed him onto the couch, away from Suspect McDonald.

Suspect McDonald kicked his legs and placed his left hand under his waistband area. Deputy Fairbanks kicked Suspect McDonald once more, and he appeared to lose consciousness again. Deputy Fairbanks assisted Deputy Valdivia by holding Suspect McDonald to the ground. He held one of Suspect McDonald's arms, so a handcuff could be placed on Suspect McDonald's wrist. He was unsure which of Suspect McDonald's arms he controlled. Deputy Fairbanks was aware an unknown deputy attempted to assist during the handcuffing by controlling Suspect McDonald's legs. Deputy Fairbanks did not see Deputy Valdivia punch Suspect McDonald during the incident. Deputy Fairbanks did not recall Suspect McDonald being hobbled or TARPed.

After Suspect McDonald was handcuffed, Deputy Fairbanks continued to search the apartment for additional occupants. He encountered a bedroom door, which was locked. After forcing the bedroom door open, he encountered a woman (Witness [redacted] located inside the room. He told her to come to him, but she backed away from him. She appeared frantic and was crying. He recognized Witness [redacted] had been traumatized, so he requested Deputy [redacted] to assist him to have Witness [redacted] escorted out of the apartment. Deputy Fairbanks did not see any deputy use force upon Witness [redacted]

Deputy Fairbanks spoke to Deputy [redacted] after the incident. He learned she fired a Stunbag shotgun round during the incident, but he could not recall how he learned the information. He did not see Deputy [redacted] or Deputy [redacted] fire their Stunbag shotguns during the incident. He did not recall seeing Deputy [redacted] carrying her Stunbag shotgun in a protective case at the beginning of the incident.

Deputy Fairbanks said "STB3" on their log indicated, they were assigned Stunbag shotgun #3. He said Deputy [redacted] created their log, and was the deputy who inputted the information into their log. He was unaware if Deputy [redacted] retrieved a Stunbag shotgun from another deputies' patrol car to deploy during the incident. He did not know if their assigned Stunbag shotgun was located in their patrol car at the conclusion of their shift, because Deputy [redacted] emptied their assigned equipment from the patrol car.

Deputy Fairbanks did not recall having a discussion with Deputy McCullough at the station after the incident. He did not recall Deputy McCullough telling him he was writing a supplemental report. He did not tell Deputy McCullough not to write a supplemental report.

Deputy Fairbanks was not aware Deputy McCullough video recorded a portion of the incident, but he knew Deputy McCullough generally carried a camera with him "almost all the time." He did not recall Deputy McCullough telling him he had video recorded a portion of the incident.

On January 26, 2016, IAB Sergeant Smeltzer performed a follow-up interview with Deputy Fairbanks at the IAB office building. Attorney Okwuosa from the law firm of Green and Shinee was present for the interview.

Deputy Fairbanks explained he kicked Suspect McDonald three times. He kicked him twice, and it appeared Suspect McDonald passed out for "a couple of seconds." Deputy Fairbanks lifted Witness [redacted] up and away from Suspect McDonald. He placed Witness [redacted] on a couch. He said Witness [redacted] laid on the couch and it appeared he attempted to remain conscious. Deputy Fairbanks was still unsure of Witness [redacted] intentions, so he drew his pistol and aimed it at him. He also provided cover for Deputy Valdivia and another unknown deputy who attempted to handcuff Suspect McDonald.

Deputy Fairbanks saw Deputy Valdivia had difficulty handcuffing Suspect McDonald, because Suspect McDonald positioned himself face down on the floor. Deputy Fairbanks saw Suspect McDonald move his left hand underneath his body to his waistband area. He did not know if Suspect McDonald was armed or arming himself with a weapon, so Deputy Fairbanks returned to Suspect McDonald's location and kicked him in the left temple area a third time.

Deputy Fairbanks said when he kicked Suspect McDonald, it appeared he passed out for approximately 10 seconds. Deputy Valdivia was on the floor and struggled to control Suspect McDonald's right wrist when he delivered the final kick to Suspect McDonald.

Deputy Fairbanks explained he kicked Suspect McDonald on three occasions, because he had not seen a knife and did not know if Suspect McDonald was armed with the knife as Deputy Valdivia struggled to handcuff him.

Deputy Fairbanks assisted Deputy Valdivia handcuffing Suspect McDonald, by squatting next to Suspect McDonald. He used his hands and pushed downward on Suspect McDonald's torso to pin him to the floor. Once Suspect McDonald was handcuffed, Deputy Fairbanks returned to Witness [redacted] and carried him outside of the apartment so could receive medical attention.

Deputy Fairbanks reentered the apartment and performed a protective sweep of the apartment. Deputy Fairbanks did not remember if Deputy [redacted] or Deputy [redacted] handed their Stunbag shotguns to Sergeant Mandujan.

INVOLVED EMPLOYEE DEPUTY GERARDO VALDIVIA

On December 21, 2015, Deputy Valdivia was interviewed by IAB Sergeants Chad Smeltzer and Brian Godwin. Maureen Okwuosa from the law firm of Green and Shinee was present for the interview.

Deputy Valdivia did not recall if he had attended [redacted] prior to the shooting incident. He attended [redacted] prior to the shooting incident, when he attended [redacted].

Deputy Valdivia spoke to Witness [redacted] at the front of the apartment complex when he arrived at the call. Witness [redacted] told him there was a man with a knife inside of her apartment. Deputy Fairbanks spoke with Witness [redacted] in more detail than he did. Witness [redacted] did not tell Deputy Valdivia she had been chased by the suspect or the identity of the suspect.

Deputy Valdivia said when Deputy Fairbanks made a tactical plan related to how they would handle the incident, he was unaware if another deputy continued to speak with Witness [redacted] He retrieved Witness [redacted] apartment key from her. He did not recall any discussion of having Witness [redacted] provide a diagram of apartment [redacted]s floorplan, prior to the deputies approaching the apartment. Witness [redacted] said there was a man in her apartment and her roommate was still at the apartment.

The information provided by Witness [redacted] was limited, because she was frantic. He said the deputies' initial plan was to approach and enter apartment [redacted] to search for the suspect.

Deputy Valdivia's understanding of going to apartment [redacted] was to search for the suspect, and was not a rescue plan. He had not received any information a hostage situation was occurring in apartment [redacted]

Deputy Fairbanks assigned deputies to various positions. He and Deputy Fairbanks were assigned to "lethal" assignments, indicating they were armed with handguns. He believed Deputy Biag was assigned to handle radio traffic and Deputies [redacted] and [redacted] were assigned to deploy Stunbag shotguns. He could not recall if someone carried a Taser. He could not recall if Deputy Holloway was present for the tactical planning.

Deputy Valdivia did not recall any discussion of taking a pick and ram or a ballistic shield to apartment. He said taking an ARWEN to the apartment was not discussed during the planning phase. He did not recall if someone was assigned to video record the incident. Deputy Valdivia did not provide an estimate as to how much time was dedicated to planning how to handle the call.

Deputy Valdivia reviewed page 41 of his deposition transcript. He did not recall the context of his statement when he had answered the question as to "first shooter" and "second shooter," because he had not reviewed his deposition transcript. The IAB interview was stopped, based on Deputy Valdivia's statement that he had may not have properly prepared for the interview.

On January 16, 2016, IAB Sergeants Chad Smeltzer and Brian Godwin continued Deputy Valdivia's interview at the IAB office building. Attorney Emily Suhr from the law firm of Green and Shinee was present for the interview. Deputy Valdivia said there was not a difference between "first shooter" and "second shooter" assignments. He explained, the difference between the first and second deputy was they were designated shooters and it was the order in which the deputies entered the apartment.

Deputy Valdivia monitored the West Hollywood dispatch frequency on his portable radio during the incident. When the deputies arrived at apartment [redacted] he only remembered his and Deputy Fairbanks' positioning. He explained he and Deputy Fairbanks were the deputies located at the front of the group, because they were armed with their firearms. He was positioned on the left side of the door and Deputy Fairbanks was positioned on the right side of the door.

Deputy Valdivia said after reviewing his Homicide interview transcript and his deposition transcript, he could not recall if knock and notice was given at apartment [redacted], before the deputies entered. Deputy Valdivia said a plan was developed for the entry into apartment [redacted] He did not recall the specific details, only that he and Deputy Fairbanks would lead the entry. He recalled Deputies [redacted] and Sergeant Mandujan were present for the entry into apartment [redacted].

Deputy Valdivia said once the deputies entered apartment [redacted], they contacted a woman (Witness [redacted] inside of the apartment. Deputy Valdivia said Witness [redacted] exited a bedroom inside the apartment. He directed her to run past him to deputies located behind him, as he provided security since, the entire apartment had not been searched. He did not speak to Witness [redacted] Deputy Fairbanks spoke to Witness [redacted] and relayed what she had told him. Deputy Fairbanks told him the suspect was a neighbor and lived in apartment [redacted].

Deputy Valdivia reviewed his deposition transcript and clarified, he believed Sergeant Mandujan made contact with two people at the public balcony, near apartment [redacted]. He said at least one of the people was a woman, and he was not sure of the sex of the second person. He did not speak with the two people, and he was not sure if they had seen the suspect.

Deputy Valdivia said the woman went into an apartment (#[redacted]), which was located at an angle across from apartment [redacted] He was not sure where the other person went. He said Deputy Fairbanks then spoke with someone located inside the apartment. He was not sure if it was the same person who had been out on the balcony.

Deputy Valdivia walked onto the public balcony area and looked into apartment [redacted]s balcony area. He could not see into the apartment, because the curtains were drawn and the apartment was dark. Deputy Valdivia did not recall any deputies leaving the second floor to respond to another floor to detain a possible suspect.

Deputy Valdivia said Deputy Fairbanks told the deputies, located outside apartment [redacted], a woman (Witness [redacted] in apartment [redacted] received a text message from "[redacted]" located inside apartment [redacted], and that he was scared. Deputy Fairbanks relayed the information to the deputies. Deputy Valdivia believed Deputy Fairbanks spoke to Witness [redacted] once. He did not remember if Deputy Fairbanks entered apartment [redacted] He did not recall if Deputy Fairbanks held a cell phone, which belonged to someone located inside apartment [redacted]

Deputy Valdivia could not provide a time estimate from when he learned about a text message coming from inside apartment [redacted], until the door opened and the shooting took place. He said it was a "short time period."

When the shooting occurred, Deputy Valdivia heard two shots come from behind him. He was not concerned with the deputies positioning. He explained, he was offset to the left of apartment [redacted]s door, and Deputy Fairbanks was located behind him toward the elevator. He was not concerned of being hit by other deputies' gunfire.

Deputy Valdivia said a crossfire situation did not exist when Mr. [redacted] fell and slid toward the elevator. As Deputy Valdivia tracked Mr. [redacted] movement on the floor, he aimed his pistol downward, and no other deputies were in his line of fire. He recalled Sergeant Mandujan positioned himself to the right of him, and they both covered Mr. [redacted] with their firearms. Deputy Valdivia did not hear anyone announce a Stunbag shotgun was fired during the shooting.

When Deputy Valdivia fired his pistol, he held it with both hands approximately six to eight inches from his chest. He was not able to use his handgun's sights, to aim at Mr. [redacted] He aimed his firearm at Mr. [redacted] chest area, and described it as center mass. He could not see where his shot impacted. Deputy Valdivia did not recall if he gave the men exiting apartment [redacted] verbal commands prior to the shooting.

Deputy Valdivia was armed with his M&P pistol. He did not know when he had been issued the pistol and attended the [redacted] The pistol had a tactical light mounted to it during the shooting. He did not have the optional switch to activate the tactical light on the pistol. His pistol was not equipped with a laser.

Deputy Valdivia said he used his right foot when he kicked Suspect McDonald approximately seven times. He impacted Suspect McDonald's face and the side of his head. He used the sole of his boot, and described his kick as a "stomp." He explained none of his stomps to Suspect McDonald's head were effective in stopping Suspect McDonald's attack on Witness [redacted] Deputy Fairbanks' second kick to Suspect McDonald stunned him, and caused him to release Witness [redacted] Mr. [redacted] moved to the couch after Suspect McDonald released him.

Deputy Valdivia said when Suspect McDonald was stunned, Deputy [redacted] handcuffed Suspect McDonald's right wrist. As she handcuffed Suspect McDonald, he "woke up" and moved his left hand underneath his body and attempted to push his body off the ground. Deputy Valdivia described Suspect McDonald as being "strong" and he could not pull Suspect McDonald's left arm from under his body. He told Suspect McDonald to "give up his hands," but he refused to comply. Deputy Valdivia punched Suspect McDonald three times in the left ribs with his right hand.

Deputy Valdivia said Suspect McDonald kicked his legs, as he struggled to free himself from the deputies. He did not recall if a deputy controlled Suspect McDonald's legs. He did not recall if Deputy Fairbanks assisted in handcuffing Suspect McDonald. He described the handcuffing was a team effort to place both handcuffs on Suspect McDonald. He successfully placed a handcuff on Suspect McDonald's left wrist, to complete the handcuffing. Deputy Valdivia reported his use of force to Sergeant Mandujan.

Deputy Valdivia did not see the woman located inside apartment [redacted] during the incident. Deputy Valdivia injured his lower back during the use of force incident with Suspect McDonald.

Deputy Valdivia did not have a Taser during the incident. He reviewed his DDWS **[EXHIBIT H]** and said if he had been assigned a Taser, he would have documented it in the special equipment portion of his log. He did not document he was assigned a Taser for his shift. He said "SG/14" indicated he was assigned shotgun #14.

INVOLVED EMPLOYEE DEPUTY BYRON HOLLOWAY

On January 6, 2016, Deputy Holloway was interviewed by IAB Sergeants Chad Smeltzer and Jorge Marchena at the IAB office building. Attorneys Maureen Okwousa and Emily Suhr from the law firm of Green and Shinee were present for the interview.

Deputy Holloway said Deputy Fairbanks was the primary person who spoke to the female (Witness [redacted] at the front of the apartment complex when the deputies arrived. He overhead a portion of the conversation and stood approximately five to ten feet from them as they spoke. He did not recall if Witness [redacted] provided the suspect's name to Deputy Fairbanks.

Witness [redacted] said a male (Suspect McDonald) was armed with a knife and her roommate (Witness [redacted] was located in their apartment. Witness [redacted] did not know where Suspect McDonald was located as she spoke to the deputies. Deputy Holloway did not recall if Witness [redacted] stated Suspect McDonald had chased her prior to the deputies' arrival. He said Witness [redacted] was excited as she spoke, but he did not recall any specific mannerisms she displayed. He did not recall if Witness [redacted] provided a diagram of her apartment's (#[redacted]) floorplan. Deputy Holloway said Witness [redacted] did not show him any photographs from her cell phone.

Deputy Holloway did not recall if another deputy continued to speak to Witness [redacted] as Deputy Fairbanks assigned deputies tasks related to handling the call. Deputy Holloway did not recall Deputy Fairbanks calling any deputies back to him who appeared to be entering the apartment

When Deputy Fairbanks formed the plan on how to handle the call, Deputy Fairbanks assigned him to a "lethal" assignment. Deputy Holloway said "lethal" meant he was assigned to be prepared with his Beretta pistol. He was unsure of the other deputies' assignments.

Deputy Holloway did not recall what Deputy Fairbanks' assignment was, and he believed Deputy Valdivia was also designated to be prepared to use his firearm. Deputy Holloway believed the trainees, indicating Deputies [redacted] and

[redacted] were armed with a Stunbag shotgun and a Taser. He did not recall which deputy was assigned to which weapons. Deputy Holloway estimated the deputies developed the plan how to handle the call in approximately one minute.

Deputy Holloway did not recall if he was assigned to broadcast the radio traffic for the team of deputies. His portable radio was on the L-Tac frequency. He also scanned the dispatch frequency, so he could monitor both frequencies. Deputy Holloway's understanding of the duties of a deputy assigned to the handle the radio traffic was the deputy would remain on L-Tac unless an emergent situation arose, then the deputy would switch to the dispatch frequency to broadcast. He did not recall if he broadcast any emergent radio traffic during the incident.

Deputy Holloway did not recall if any deputies were assigned to have their radios tuned to the dispatch frequency versus the L-Tac frequency. He did not recall if the SCC dispatcher provided the suspect's name and apartment number where he potentially resided.

Deputy Holloway did not recall any discussion between the deputies related to anyone carrying a ballistic shield, ARWEN, or a pick and ram. He did not recall if any deputies had been designated as arrest deputies, because the deputies did not have an arrest situation at that point. He did not recall if a deputy was designated to video record the incident.

Deputy Holloway was not armed with a Taser during the incident. He reviewed his DDWS **[EXHIBIT I]** and said if he was assigned a Taser during his shift, he would have documented it in the special equipment portion of his log. He had not documented he was assigned a Taser for his shift.

Deputy Holloway did not recall hearing Witness [redacted] say Witness [redacted] was held hostage by Suspect McDonald in their apartment. He explained during his Homicide interview, Sergeant Martindale used the word "rescue," and Deputy Holloway believed the deputies were not performing a rescue related to a hostage situation. Deputy Holloway's understanding of Deputy Fairbanks' plan, was the deputies were to going to perform a welfare check of Witness [redacted] apartment.

When the deputies arrived at apartment [redacted] Deputy Holloway positioned himself on the right side of the door. He did not recall the positioning of the other deputies. He did not recall who performed the knock and notice announcement at apartment [redacted]. He was not aware if any deputy personnel audio or video recorded the knock and notice announcements apartment [redacted].

When apartment [redacted] was cleared by the deputies and contact was made with Witness [redacted] the team relocated outside of apartment [redacted], because it was determined the suspect possibly resided there. When Deputy Holloway arrived

outside of apartment [redacted] he left the area to check the balcony area near the apartment.

Deputy Holloway walked onto the common balcony to look into apartment [redacted]s balcony. He did not recall seeing or speaking with anyone located on the public balcony. He did not see anyone on apartment [redacted]s balcony and he could not see into the apartment, because the apartment's blinds were closed. After checking the balcony area, he returned to the area in front of apartment [redacted].

Deputy Holloway did not recall an apartment manager assisting the deputies in gaining access to either apartment [redacted] or [redacted] during the incident. Deputy Holloway first learned Suspect McDonald possibly resided in apartment [redacted] when he and other deputies made contact with Witness [redacted]. He said Deputy Fairbanks spoke with Witness [redacted] and he overheard portions of the conversation.

Sergeant Mandujan did not assign Deputy Holloway any duties during the incident. Deputy Fairbanks and Sergeant Mandujan did not issue conflicting orders. He did not observe any tension between Deputy Fairbanks and Sergeant Mandujan, and they appeared to work well with each other.

Deputy Holloway said several door knocks were made at apartment [redacted], and it should have been very clear to any apartment occupant(s) that deputy personnel were outside. He vaguely recalled statements made by deputy personnel related to "actors," but he did not recall when the statements were made.

Deputy Holloway recalled Deputy Fairbanks spoke to a woman from an apartment across the hallway. He did not hear any information which came from the occupant, prior to apartment [redacted]s door opening. He did not recall Deputy Fairbanks entering an apartment across from [redacted]. He did not know if any deputy personnel audio or video recorded the knock and notice announcements at apartment [redacted].

Deputy Holloway reviewed page 88 of his deposition transcript, and said he did not receive any information from Deputy [redacted] which came from the occupant of the apartment across from apartment [redacted].

Deputy Holloway recalled a male wearing a black tee shirt was brought down from an upper floor. He was not sure if the male was handcuffed or who escorted the male. He did not recall if the male was shown to anyone in the apartment across from apartment [redacted].

Deputy Holloway is right handed, and believed he held his Beretta with both hands at the time of the shooting. He described holding his Beretta at chest level at the time of the shooting when he fired. He estimated he was five or six feet from the male with the black tee shirt, at the time of the shooting. He did not

recall a deputy announcing a Stunbag shotgun was fired. He estimated he heard three or four gunshots.

Deputy Holloway reviewed page 316 of his Homicide interview transcript, and said he believed he did not receive any information about someone text messaging occupants of apartment [redacted]. He believed he received information from Deputy Fairbanks regarding the text messages after the shooting incident.

After the shooting incident, Deputy Holloway described Mr. [redacted] as lying face down in the hallway, with his left hand located under his body. Deputy Holloway and other deputies ordered Mr. [redacted] to show his hands, but he never responded to the commands. He said Deputy Valdivia received information from Witness [redacted] that the suspect was still inside the apartment. Deputy Holloway said Deputy Valdivia entered the apartment. He was aware other deputies entered with Deputy Valdivia.

Deputy Holloway began to render aid to Mr. [redacted] but he did not see specific injuries to Mr. [redacted] He described blood coming through Mr. [redacted] shirt on his upper body. When Deputy Holloway initially contacted Mr. [redacted] he had a pulse and appeared to be breathing.

Deputy Holloway said he entered apartment [redacted] to retrieve towels so he could compress Mr. [redacted] njuries to stop his bleeding. When he entered the apartment, he retrieved the towels from a bathroom located to the right upon entering the apartment. He did not observe any use of force by deputy personnel while located inside the apartment.

Deputy Holloway returned to the hallway with the towels and assisted Mr. [redacted] Deputy Holloway heard a commotion inside of the apartment, which sounded like a struggle, between the deputies and Suspect McDonald. Deputy Holloway said Mr. [redacted] did not speak to him as he rendered first aid to him. He did not recall Mr. [redacted] being handcuffed.

Mr. [redacted] eventually stopped breathing, and Deputy Holloway initiated CPR. Deputy Holloway performed chest compressions and Deputy [redacted] assisted him. He estimated fire department personnel arrived within three to five minutes, but it seemed much longer. Deputy Holloway believed Deputy Zamora arrived after the shooting incident and rendered aid to Witness [redacted].

Deputy Holloway saw a female (Witness [redacted] exit apartment [redacted]. He was not aware of any force used against her by deputy personnel. He did not recall if Witness [redacted] was handcuffed.

Deputy Holloway did not audio or video record any portion of the incident. Deputy Holloway did not have his side handle baton with him at the time of the shooting. His Beretta was not equipped with a laser.

INVOLVED EMPLOYEE DEPUTY [redacted]

On January 13, 2016, Deputy [redacted] was interviewed by IAB Sergeants Chad Smeltzer and Brian Godwin. Attorney Emily Suhr from the law firm of Green and Shinee was present for the interview.

Deputy [redacted] said on April 7, 2014, her duty firearm was a Beretta 9mm pistol. Her pistol was equipped with a tactical light and it did not have a laser attached. She also carried an expandable baton, OC Spray, portable Sheriff radio and a hobble. She did not have a Taser with her during the incident.

Deputy [redacted] reviewed her DDWS **[EXHIBIT G]** and said, if she had been assigned a Taser for her shift, she would have indicated it in the special equipment area of her log. No other deputy or sergeant designated her to carry a Taser during the incident.

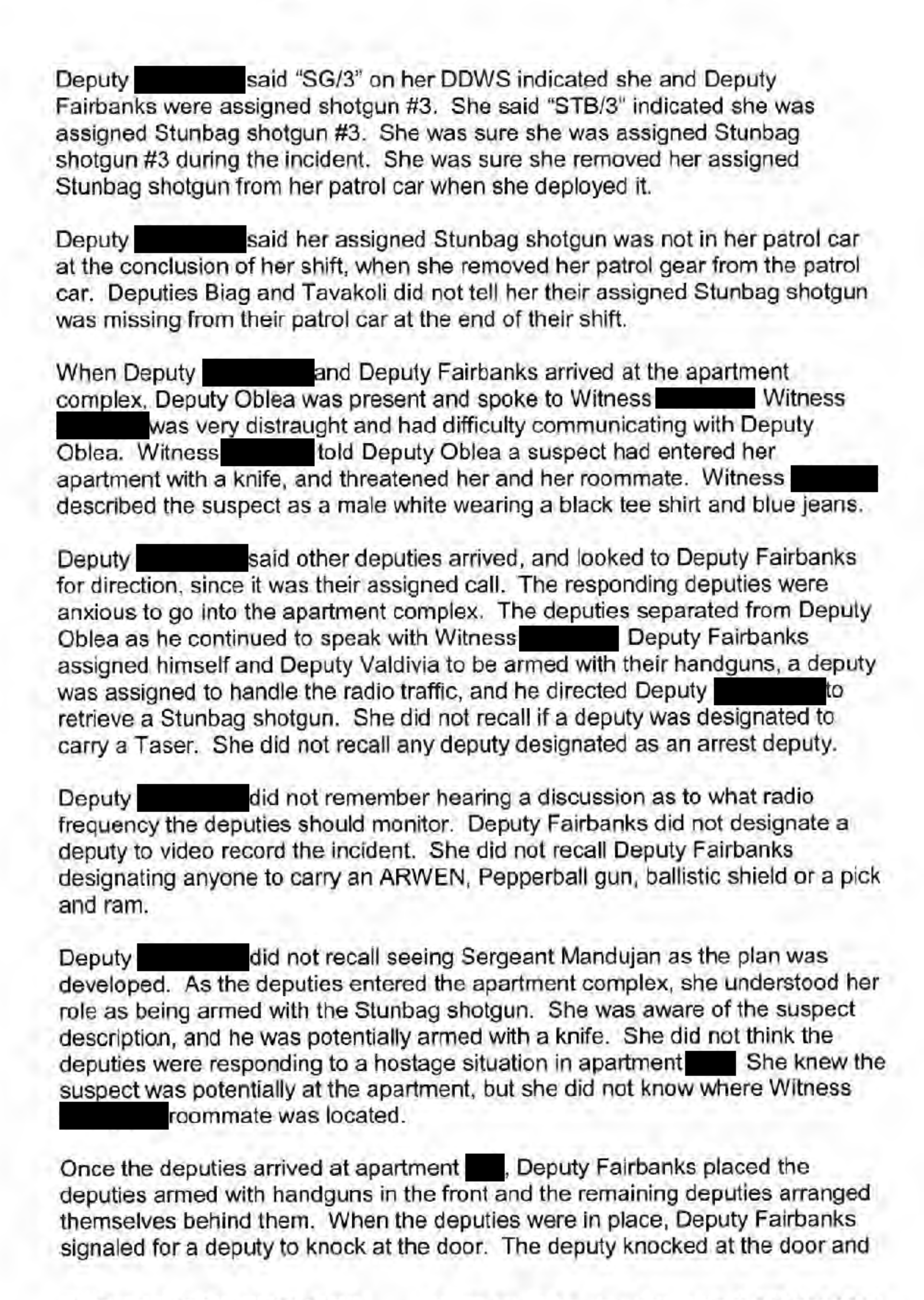
Deputy [redacted] received Department [redacted] related to the Stunbag shotgun at [redacted]. Deputy Fairbanks had not provided her any additional [redacted] related to the Stunbag shotgun, prior to the incident. At the time of the incident, her understanding of when she should chamber a Stunbag shotgun shell was when she deployed the weapon. She explained, "Deployed," meant when she may possibly need to fire the Stunbag shotgun. She was [redacted] to make announcements prior to shooting the Stunbag shotgun.

During the incident, Deputy [redacted] left the Stunbag shotgun in its protective bag when she carried it away from the patrol car. It was her first occasion deploying the Stunbag shotgun on a call, and she became "caught up" with what was occurring related to the call. She removed the Stunbag shotgun from its bag inside the apartment building as she approached the elevator on the main floor.

Deputy [redacted] believed Sergeant Mandujan stopped her, and told her to take the Stunbag shotgun out of the bag. She did not know why two Stunbag shotguns were deployed in this incident. She was "almost certain" she handed Sergeant Mandujan the Stunbag shotgun bag, when she removed it from its bag.

> **IAB Note: During Sergeant Mandujan's IAB interview on January 13, 2016, he stated he took the Stunbag shotgun from Deputy [redacted] He removed it from the case, chambered a shell, and returned the Stunbag shotgun to her.**

Deputy [redacted] inspected her assigned Stunbag shotgun before her shift briefing, at the start of her shift. She was not aware if any other deputy handled her Stunbag shotgun from the time she inspected it, until the shooting incident occurred.



Deputy [redacted] said "SG/3" on her DDWS indicated she and Deputy Fairbanks were assigned shotgun #3. She said "STB/3" indicated she was assigned Stunbag shotgun #3. She was sure she was assigned Stunbag shotgun #3 during the incident. She was sure she removed her assigned Stunbag shotgun from her patrol car when she deployed it.

Deputy [redacted] said her assigned Stunbag shotgun was not in her patrol car at the conclusion of her shift, when she removed her patrol gear from the patrol car. Deputies Biag and Tavakoli did not tell her their assigned Stunbag shotgun was missing from their patrol car at the end of their shift.

When Deputy [redacted] and Deputy Fairbanks arrived at the apartment complex, Deputy Oblea was present and spoke to Witness [redacted] Witness [redacted] was very distraught and had difficulty communicating with Deputy Oblea. Witness [redacted] told Deputy Oblea a suspect had entered her apartment with a knife, and threatened her and her roommate. Witness [redacted] described the suspect as a male white wearing a black tee shirt and blue jeans.

Deputy [redacted] said other deputies arrived, and looked to Deputy Fairbanks for direction, since it was their assigned call. The responding deputies were anxious to go into the apartment complex. The deputies separated from Deputy Oblea as he continued to speak with Witness [redacted] Deputy Fairbanks assigned himself and Deputy Valdivia to be armed with their handguns, a deputy was assigned to handle the radio traffic, and he directed Deputy [redacted] to retrieve a Stunbag shotgun. She did not recall if a deputy was designated to carry a Taser. She did not recall any deputy designated as an arrest deputy.

Deputy [redacted] did not remember hearing a discussion as to what radio frequency the deputies should monitor. Deputy Fairbanks did not designate a deputy to video record the incident. She did not recall Deputy Fairbanks designating anyone to carry an ARWEN, Pepperball gun, ballistic shield or a pick and ram.

Deputy [redacted] did not recall seeing Sergeant Mandujan as the plan was developed. As the deputies entered the apartment complex, she understood her role as being armed with the Stunbag shotgun. She was aware of the suspect description, and he was potentially armed with a knife. She did not think the deputies were responding to a hostage situation in apartment [redacted] She knew the suspect was potentially at the apartment, but she did not know where Witness [redacted] roommate was located.

Once the deputies arrived at apartment [redacted], Deputy Fairbanks placed the deputies armed with handguns in the front and the remaining deputies arranged themselves behind them. When the deputies were in place, Deputy Fairbanks signaled for a deputy to knock at the door. The deputy knocked at the door and

announced "Sheriff's Department, open the door." There was no response at the door and a deputy opened the door with a key.

The deputies entered the apartment and located Witness [redacted] in a bedroom. Witness [redacted] described the same suspect description as Witness [redacted] and indicated the suspect was armed with a 10 inch kitchen knife. Deputy Biag broadcast the description of the suspect. Deputy [redacted] believed the broadcast was made on the dispatch frequency.

As the deputies left apartment [redacted] Witness [redacted] told the deputies she knew the suspect was named "Alex McDonald," and he lived in apartment [redacted] Deputy Fairbanks confirmed the assignments he had previously assigned in front of the apartment complex, and added Deputy Holloway was to be armed with his handgun. Deputy [redacted] and Deputy [redacted] continued to be armed with the Stunbag shotguns.

When the deputies moved to apartment [redacted] and staged near the apartment, Deputy Fairbanks was contacted by a woman from an apartment across the hall. The woman told Deputy Fairbanks she had dated the suspect and she provided his vehicle description and where his vehicle should be parked if it was at the apartment building.

Deputy [redacted] did not see Deputy Fairbanks enter apartment [redacted] to talk with the woman. She did not see the female show her cell phone to any deputy. She estimated Deputy Fairbanks went back and forth from apartment [redacted], and the deputies in front of [redacted], three times. When he returned from apartment [redacted], he told the deputies the information he received from the woman.

Deputy Fairbanks returned and said the woman received a text message from someone inside the apartment. She did not know what the message said, but she believed there was possibly a hostage located inside apartment [redacted]. She believed Deputy Fairbanks may have said, "We may have a hostage situation," to the deputies.

Deputy [redacted] said within approximately a minute, the shooting incident occurred. She described prior to the shooting, Sergeant Mandujan took a few steps back and began to telephone the watch commander. As he moved, apartment [redacted]s door opened and shooting took place.

Deputy [redacted] said as the two men exited the apartment, she raised her Stunbag shotgun and followed the second man (Mr. [redacted] because she believed he was the suspect. She did not know if she fired her weapon. She explained, when she spoke of being caught "off guard" during her Homicide interview, she meant when apartment [redacted]s door abruptly opened, it was shocking to see Witness [redacted] injuries as he exited the apartment.

After the shooting occurred, Deputy [redacted] entered apartment [redacted] and saw a struggle occurring between Suspect McDonald Witness [redacted] She saw Deputy Fairbanks yell at Suspect McDonald to let go of the man. She saw Deputy Fairbanks and Deputy Valdivia kick Suspect McDonald, because he choked the other male and refused to let go of him. She handed her Stunbag shotgun to Sergeant Mandujan, so she could assist in freeing Witness [redacted] from the suspect's choke hold.

Deputy [redacted] kicked the suspect in the center of his back once, with her left foot. Her kick did not have an effect, so she dropped to the ground and punched Suspect McDonald approximately four times with both of her fists, to try and free Witness [redacted] She punched Suspect McDonald on his back, because it was exposed to her. She believed her punches impacted the center and right portion of the suspect's back.

Deputy [redacted] punched Suspect McDonald as Deputy Fairbanks and Valdivia kicked Suspect McDonald. She estimated Deputy Fairbanks and Deputy Valdivia kicked the suspect, in the head, approximately three times each. She believed Suspect McDonald went limp from one of the kicks he received from Deputy Fairbanks or Valdivia.

When Suspect McDonald's body went limp, she pulled his right arm behind his back, and placed a handcuff on his wrist. Suspect McDonald "woke up" and began to resist her actions. She said Suspect McDonald placed his left hand under his body, as he lay on his stomach. She said the deputies ordered Suspect McDonald to "Give us your arm," but he did not comply with their commands. Deputies Valdivia and Fairbanks assisted her in handcuffing Suspect McDonald's left wrist, by pulling his left arm from underneath his body. She said it was a team effort to handcuff Suspect McDonald. She did not see Deputy [redacted] kick or punch Suspect McDonald.

After Suspect McDonald was handcuffed, Deputy [redacted] exited the apartment and she saw Witness [redacted] received first aid from other deputies. She saw the second male, Mr. [redacted] located near the elevator lying face down. She and Deputy Holloway turned Mr. [redacted] over. She noticed Mr. [redacted] stopped breathing. She did not recall if he had a pulse. Deputy [redacted] and Deputy Holloway both performed chest compressions on Mr. [redacted]

Deputy [redacted] saw an unknown deputy exit apartment [redacted], escorting Witness [redacted] She did not recall if Witness [redacted] was handcuffed. She did not use any force upon Witness [redacted] nor did she see any deputy use force upon her. She did not know if Witness [redacted] was asked to identify any of the injured people at the scene.

Deputy [redacted] reported her use of force during her Homicide interview. She was not injured during the incident.

INVOLVED EMPLOYEE DEPUTY [redacted]

On December 23, 2016, Deputy [redacted] was interviewed by IAB Sergeants Chad Smeltzer and Brian Godwin at the IAB office building. Attorney Maureen Okwuosa from the law firm of Green and Shinee was present for the interview.

Deputy [redacted] said when she arrived at the apartment complex, she saw three patrol vehicles parked in front of the apartment complex. She explained during her deposition, related to the incident, she did not recall if she was present in front of the apartment complex with other deputies as they formed a tactical plan on how to handle the incident. She was very tired on the date of her deposition, because she had worked the early morning shift prior to her deposition. During her IAB interview, she recalled being present for two or three tactical plans.

When Deputy [redacted] arrived, she saw Deputies Fairbanks, Valdivia and [redacted] located in front of the apartment complex. She believed Sergeant Mandujan was also present. She believed Deputy Fairbanks assigned deputies to various roles to handle the incident.

Deputy [redacted] did not remember who was assigned to handle radio traffic during the incident. Her understanding of a deputy assigned to handle the radio traffic during the incident was for the deputy to broadcast information to other personnel on a tactical radio channel. She believed Deputy Oblea was assigned to broadcast information on the dispatch channel.

Deputy [redacted] said Deputy Fairbanks assigned himself and Deputies Valdivia and Holloway as designated shooters. She did not recall if the plan originally was for two designated shooters and at some point was changed to have three designated shooters.

Deputy [redacted] and Deputy [redacted] were assigned to less lethal team positions by Deputy Fairbanks. They were armed with Stunbag shotguns. She did not remember who was assigned to carry a Taser. She did not have a Taser on the date of the incident. She reviewed her DDWS **[EXHIBIT J]** and said she did not document she had been assigned a Taser for her shift. She explained if she had been assigned a Taser during her shift, she would have documented it in the special equipment portion of her DDWS. In her DDWS, she documented she was assigned shotgun #6 and Stunbag shotgun #2. Deputy [redacted] retrieved her Stunbag shotgun from her patrol car. The Stunbag shotgun was located in her vehicle's trunk and it was contained in a case.

Deputy [redacted] did not remember if any deputies were designated as arrest deputies. She said no deputy was armed with a shotgun loaded with lethal

ammunition. Deputy [redacted] did not remember if there was a discussion regarding any deputies, to carry a pick and ram or ballistic shield into the apartment complex.

Deputy [redacted] said she was familiar with the special equipment and weapons carried in the field sergeant's vehicle at West Hollywood Station. The sergeant's vehicle contained a shotgun, ARWEN, Pepperball gun, ballistic shield and extra ammunition.

Deputy [redacted] understanding of the tactical plan was the deputies would approach apartment [redacted] and contact the person who called 911. She understood the situation was a "high threat" situation, and did not involve a barricaded suspect or hostage situation at apartment [redacted].

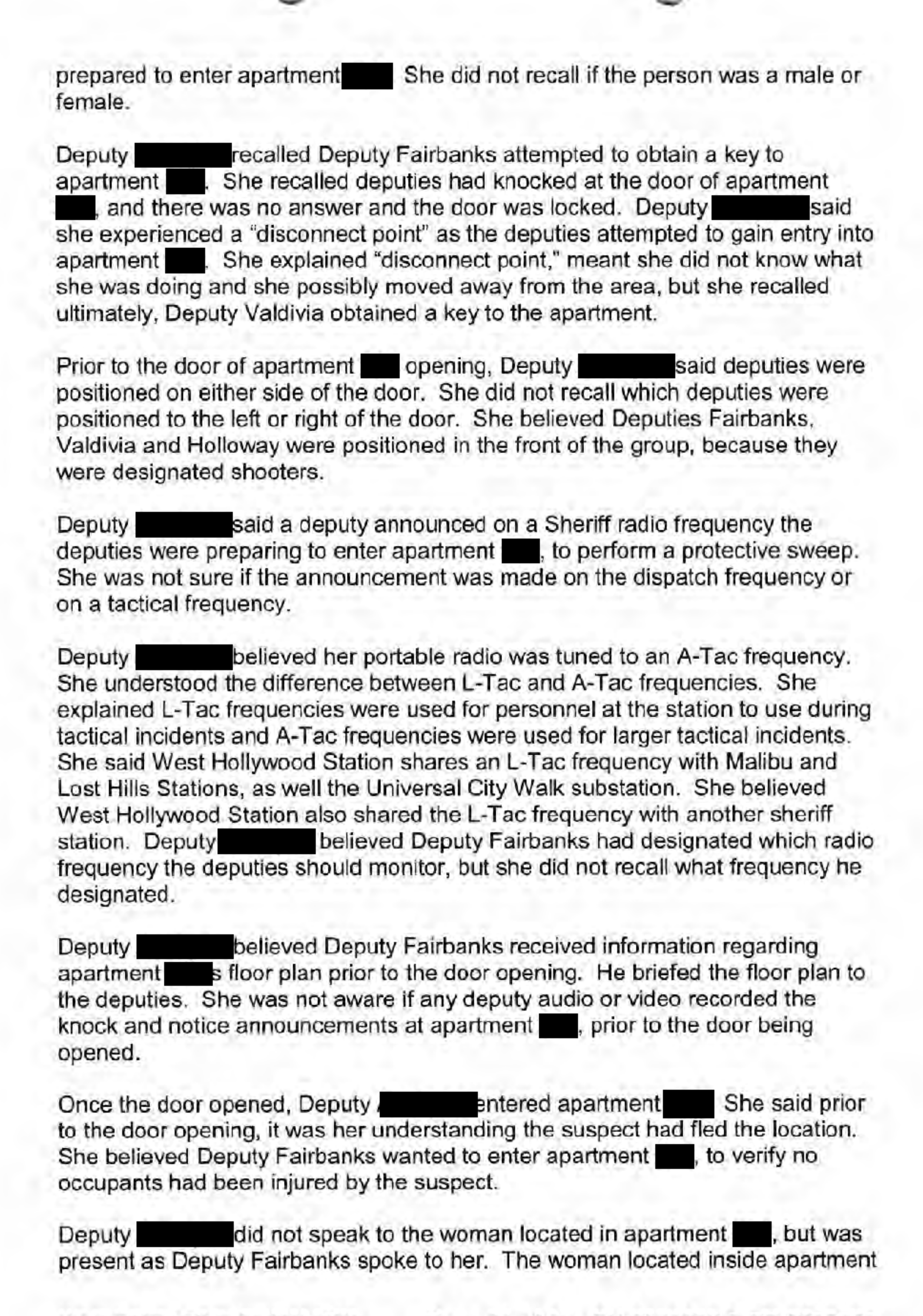
Deputy [redacted] said when the deputies were located in front of the apartment complex creating a tactical plan, a woman (Witness [redacted] who had called 911, was also in front of the building. The female spoke to Deputy Oblea. Deputy [redacted] did not recall if the female briefed the team of deputies as a unit. Deputy [redacted] never spoke to the Witness [redacted] and she was not aware if the she showed any deputies any information on her cell phone, such as photographs.

Witness [redacted] was very fearful and was shaking, but she was not injured. Deputy [redacted] recalled Deputy Oblea received a suspect description from the female and performed a preliminary crime broadcast on the West Hollywood dispatch channel. She did not recall where she was located when the crime broadcast occurred.

Deputy [redacted] said she misspoke during her deposition. During her deposition she stated she proceeded to apartment [redacted] alone. During her IAB interview, Deputy [redacted] said her recollection was "more clear" and she recalled proceeding to apartment [redacted] with other deputies. She said the team split into two groups, and a portion of the group climbed the stair case and the second group proceeded to the second floor in an elevator. She did not recall which route she travelled.

Deputy [redacted] said once she arrived on the second floor, she proceeded to apartment [redacted]. She recalled Deputies Fairbanks, Holloway and [redacted] were present. Deputy Valdivia arrived at some point, but she did not recall seeing him when she first arrived at apartment [redacted].

Deputy [redacted] recalled during her deposition, she mentioned an apartment manager was possibly present near apartment [redacted] to assist the deputies gain access to the apartment. During her IAB interview, she was not sure if an apartment manager was present or if the person was possibly a neighbor. She recalled someone other than the deputies was in the hallway as the deputies



prepared to enter apartment [redacted] She did not recall if the person was a male or female.

Deputy [redacted] recalled Deputy Fairbanks attempted to obtain a key to apartment [redacted]. She recalled deputies had knocked at the door of apartment [redacted], and there was no answer and the door was locked. Deputy [redacted] said she experienced a "disconnect point" as the deputies attempted to gain entry into apartment [redacted]. She explained "disconnect point," meant she did not know what she was doing and she possibly moved away from the area, but she recalled ultimately, Deputy Valdivia obtained a key to the apartment.

Prior to the door of apartment [redacted] opening, Deputy [redacted] said deputies were positioned on either side of the door. She did not recall which deputies were positioned to the left or right of the door. She believed Deputies Fairbanks, Valdivia and Holloway were positioned in the front of the group, because they were designated shooters.

Deputy [redacted] said a deputy announced on a Sheriff radio frequency the deputies were preparing to enter apartment [redacted], to perform a protective sweep. She was not sure if the announcement was made on the dispatch frequency or on a tactical frequency.

Deputy [redacted] believed her portable radio was tuned to an A-Tac frequency. She understood the difference between L-Tac and A-Tac frequencies. She explained L-Tac frequencies were used for personnel at the station to use during tactical incidents and A-Tac frequencies were used for larger tactical incidents. She said West Hollywood Station shares an L-Tac frequency with Malibu and Lost Hills Stations, as well the Universal City Walk substation. She believed West Hollywood Station also shared the L-Tac frequency with another sheriff station. Deputy [redacted] believed Deputy Fairbanks had designated which radio frequency the deputies should monitor, but she did not recall what frequency he designated.

Deputy [redacted] believed Deputy Fairbanks received information regarding apartment [redacted]s floor plan prior to the door opening. He briefed the floor plan to the deputies. She was not aware if any deputy audio or video recorded the knock and notice announcements at apartment [redacted], prior to the door being opened.

Once the door opened, Deputy [redacted]ntered apartment [redacted] She said prior to the door opening, it was her understanding the suspect had fled the location. She believed Deputy Fairbanks wanted to enter apartment [redacted], to verify no occupants had been injured by the suspect.

Deputy [redacted] did not speak to the woman located in apartment [redacted], but was present as Deputy Fairbanks spoke to her. The woman located inside apartment

[redacted] had been hiding in a bedroom or bathroom, and she told Deputy Fairbanks the suspect armed with the knife was a neighbor. She believed the woman showed a photograph of her roommate from her cellphone. Deputy [redacted] was not aware if any deputy personnel telephoned the watch commander prior to entering apartment [redacted].

Deputy [redacted] said when the deputies left apartment [redacted], and positioned themselves near the second floor elevator, a third plan was discussed related to the deputies' positioning regarding apartment [redacted]. When the deputies arrived in the area of apartment [redacted], an elderly couple was located on a public balcony. She said Deputy Valdivia spoke to the couple and the information was relayed to the other deputies.

Deputy [redacted] said during her Homicide interview she estimated from the time the door of apartment [redacted] opened, until the shooting occurred, was approximately 10-15 seconds. She explained her estimation of 10-15 seconds was inaccurate because, it seemed the situation lasted a long time, but in reality, the incident happened much quicker than 10-15 seconds. She said the incident was traumatic and stressful, which affected her recollection.

Deputy [redacted] said during her Homicide interview, when she stated it appeared doors knocks occurred prior to the deputies being positioned, she was inaccurate. She explained she was very tired during her Homicide interview, and she misspoke. She clarified no door knocks were performed at apartment [redacted], until the deputies were in position and prepared for the door to open. She was not aware if any audio or video recording was made of the knock and notice at apartment [redacted].

Deputy [redacted] recalled Sergeant Mandujan giving directions related where deputies positioned themselves near apartment [redacted] Deputy Fairbanks also was involved in positioning deputies at apartment [redacted] She did not observe any conflicting directions from Sergeant Mandujan or Deputy Fairbanks, and she did not see conflict between them.

Deputy [redacted] was not aware if a deputy attempted to make a phone call to anyone inside of apartment [redacted] prior to the door opening. Deputy Fairbanks spoke to a female located in what she believed was apartment [redacted] She said the woman provided Deputy Fairbanks with a description of the suspect's vehicle. Deputy Biag and another deputy were assigned to search the garage, and verify if the vehicle was located in the garage.

Deputy Fairbanks spoke with the woman and then relayed the information to the deputies. She was not sure if the woman told Deputy Fairbanks what was occurring inside of apartment [redacted] prior to the door opening. She was not sure if Deputy Fairbanks went inside of apartment [redacted]

Deputy [redacted] said during her Homicide interview, when she spoke of the manner in which the occupants exited apartment [redacted] she used the word "guard" to describe how one occupant held the other. She said a better word choice, would have been "shield." She explained it appeared the second person who exited apartment [redacted] appeared to use the first person as a "human shield." At the time of the shooting, she was aware Deputies Fairbanks and Valdivia had fired their weapons. She recalled hearing two shots, and she did not see Deputy [redacted] fire her Stunbag shotgun.

Deputy [redacted] said after the shooting occurred, she entered apartment [redacted] Prior to her entering the apartment, she believed she handed her Stunbag shotgun to Sergeant Mandujan. Her attention was drawn to Suspect McDonald located on the floor struggling with Deputies Fairbanks, Valdivia, and [redacted] Sergeant Mandujan was also inside of the apartment. She saw Suspect McDonald fought with the deputies. She saw Deputy Valdivia and Deputy Fairbanks kick Suspect McDonald during the fight. She did not recall how many times the deputies kicked Suspect McDonald or where their kicks impacted him.

During the struggle, she saw Deputy [redacted] attempt to handcuff Suspect McDonald. He resisted the handcuffing by placing a hand underneath his body. She saw Suspect McDonald kicked wildly, but not at anyone in particular. Deputy [redacted] used both of her arms and held Suspect McDonald's legs in a bear hug fashion. Once she held his legs, Suspect McDonald stopped his kicking movements.

Deputy [redacted] said Deputy [redacted] held a pair of handcuffs, and Deputy Fairbanks attempted to pull one of Suspect McDonald's arms from underneath his body. Suspect McDonald continued to resist being handcuffed. To accomplish handcuffing Suspect McDonald, it took a team effort involving Deputy Fairbanks, Deputy Valdivia, Deputy [redacted] and herself.

Deputy [redacted] did not recall if any deputy punched Suspect McDonald during the struggle. She did not recall if any deputy sat on top of Suspect McDonald during the handcuffing process. She did not recall if Suspect McDonald was hobbled or TARP's during the incident.

Deputy [redacted] escorted Witness [redacted] out of apartment [redacted], and Deputy [redacted] took control of her. She asked Deputy [redacted] to search Witness [redacted] and take her downstairs. She said no other victims were located inside the apartment, when she escorted the female. Deputy [redacted] did not ask the female to identify anyone injured during the incident. The female did not resist her at any time.

Deputy [redacted] reported her actions to Sergeant Mandujan after the incident. Deputy [redacted] said Deputy Zamora was not present at the time of the shooting, but arrived after the shooting.

Deputy [redacted] became aware Deputy McCullough video recorded his interaction with Witness [redacted] during a shooting debriefing. She said Deputy McCullough arrived after the shooting occurred. At the time of the incident, she did not know Deputy McCullough was video recording **[EXHIBIT T]** the incident and she did not know if she appeared in his video recording. She assumed she was video recorded, since Deputy McCullough wore a body camera.

Deputy [redacted] viewed the video recording from approximately 9:15 to 11:40. Deputy [redacted] said the portion of the video recording showed her placing crime scene tape to protect the scene. The recording showed Deputy McCullough spoke to Witness [redacted] whom she escorted out of apartment [redacted]. The video appeared to show Witness [redacted] was handcuffed. Deputy [redacted] did not know why the female had been handcuffed.

During the video, she heard Deputy McCullough state he would write a supplemental report. Deputy [redacted] was not tasked with writing any report related to the incident.

Deputy [redacted] did not learn of apartment [redacted] having multiple roommates, until after the shooting incident, when she went to the hospital. Prior to the shooting incident, she had no knowledge of any hostages being held in apartment [redacted] or any occupants inside of the apartment texting they were scared.

On January 27, 2016, IAB Sergeant Smeltzer performed a follow-up interview with Deputy [redacted] at the IAB office building. Attorney Maureen Okwuosa from the law firm of Green and Shinee was present for the interview.

Deputy [redacted] further described when she entered apartment [redacted], she saw Suspect McDonald struggling with another male white (Witness [redacted]. She did not see Suspect McDonald holding a knife. Deputy [redacted] did not recall if she handed her Stunbag shotgun to Sergeant Mandujan before she entered the apartment, or while she was inside of the apartment. She did not recall where Sergeant Mandujan was located when she handed him the Stunbag shotgun.

Deputy [redacted] did not recall if Suspect McDonald appeared to lose consciousness when Deputy Fairbanks kicked him. As Deputy [redacted] controlled Suspect McDonald's legs, Deputies Fairbanks and Valdivia attempted to handcuff Suspect McDonald. Suspect McDonald resisted the handcuffing, by moving back and forth while he kicked his legs.

Deputy [redacted] believed Deputy Valdivia assisted Witness [redacted] away from Suspect McDonald. She did not believe Witness [redacted] walked by himself, because he bled from an unknown leg. She did not recall a deputy picking up Witness [redacted] and placing him on the couch. She did not remember how Witness [redacted] was positioned on the couch.

Deputy [redacted] did not recall if Deputy Fairbanks or Deputy Valdivia placed a foot on Suspect McDonald after he was handcuffed. She was not aware of any deputy kicking Suspect McDonald after he was handcuffed.

Deputy [redacted] said she carried her assigned Stunbag shotgun into apartment [redacted] She believed she removed it from her patrol car. She was sure she did not fire her Stunbag shotgun during the incident. She believed she left her Stunbag shotgun inside of the apartment, and Sergeant Mandujan transported it away from the scene. She did not remove her Stunbag shotgun from her patrol car at the end of her shift, because she believed Sergeant Mandujan had it.

NON INVOLVED EMPLOYEE SERGEANT ENRIQUE MANDUJAN

On January 13, 2016, Sergeant Mandujan was interviewed by IAB Sergeants Chad Smeltzer and Brian Godwin. The interview was conducted at the IAB office building. Attorney Maureen Okwuosa from the law firm of Green & Shinee was present for the interview.

Sergeant Mandujan said West Hollywood Sheriff's Station was his first assignment as a sergeant. He attended the [redacted] when he promoted to sergeant, but believed he had not [redacted] offered by the Sheriff's Department as a deputy, [redacted], as a sergeant.

Sergeant Mandujan said when he became aware of the call for service to [redacted] Palm Avenue, he was in the station desk area. He did not recall if he advised anyone in the station he was responding to the call. He did not recall if he responded code-3 to the location. He broadcast on the dispatch channel when he responded to the call and when he arrived at the location.

Sergeant Mandujan did not recall which deputy spoke to Witness [redacted] at the front of the apartment complex. He did not speak to Witness [redacted] He was not aware if Witness [redacted] had photographs of Suspect McDonald on her cellular phone. He said Deputy Fairbanks developed a plan as to how the deputies would handle the call, as another deputy spoke to Witness [redacted] Sergeant Mandujan focused his attention on the planning of how the call would be handled. He listened to Deputy Fairbanks planning and he did not have any objections to the plan.

The plan Deputy Fairbanks developed sounded like a plan to effect a rescue. Sergeant Mandujan understood Witness [redacted] was locked inside of her bedroom, and Suspect McDonald was located inside of apartment [redacted] He did not receive any information a hostage situation was occurring inside of the

apartment. Sergeant Mandujan did not recall hearing the SCC dispatcher provide an update regarding the call.

Sergeant Mandujan said a rescue plan was similar to an active shooter response, where Witness [redacted] appeared to be locked in her apartment bedroom and Suspect McDonald was attempting to harm her. He explained, a hostage situation was different, because Suspect McDonald would have had immediate control of Witness [redacted]

Sergeant Mandujan believed Deputy Fairbanks assigned Deputy Biag to handle radio traffic related to the call. Deputy Biag was assigned to handle the dispatch radio frequency, and the remaining deputies would monitor the L-Tac frequency. Sergeant Mandujan scanned both frequencies on his portable radio, by having his radio set to the dispatch channel, and having his radio scan the L-Tac frequency.

Deputy Fairbanks assigned Deputies [redacted] and [redacted] to be armed with Stunbag shotguns. He believed Deputies Fairbanks, Valdivia and Holloway were designated as deputies armed with their firearms. He believed a deputy was designated to effect an arrest if needed, but he did not recall who was assigned to the task.

Sergeant Mandujan said two Stunbag shotguns were deployed, because the apartment complex was large and if the deputies needed to split up, a Stunbag shotgun could be assigned to each group. He explained other weapons located in the sergeant's vehicle included a ballistic shield, Pepperball gun and ARWEN. The weapons were not used in this incident, because the deputies also had the options of using Tasers and OC Spray. Sergeant Mandujan did not recall which deputies were armed with Tasers. Sergeant Mandujan positioned himself toward the rear of the deputies, as they entered the building. He routinely positioned himself toward the rear of a group of deputies, so he can have a better view of the deputies' actions.

Sergeant Mandujan reviewed his DDWS **[EXHIBIT K]** and said the specific equipment contained in the sergeant's vehicle was not listed on his log. He said the sergeant vehicle is equipped with a shotgun, Taser, Pepperball gun, ARWEN, AR-15, ballistic shield, Sting balls, gas canisters, video camera, and a pick and ram. Additionally the vehicle contains miscellaneous equipment such as jumper cables and a folding stretcher.

Sergeant Mandujan did not recall giving any specific direction to Deputy Fairbanks or other deputies. He explained Deputies Fairbanks, Biag, and Chang were experienced training officers.

Sergeant Mandujan did not recall assigning Deputy [redacted] to retrieve a Stunbag shotgun. He saw her return with the Stunbag shotgun contained in a

protective case. He took the case from Deputy [redacted] and removed the Stunbag shotgun from the case, chambered a Stunbag shell, and returned the Stunbag shotgun to her.

Sergeant Mandujan believed the two deputies who responded to the third floor of the apartment building were Deputies Chang and Zamora. He explained when he said "I didn't do anything," during his Homicide interview at apartment [redacted], he meant he continued to supervise the deputies by standing in the hallway. Sergeant Mandujan positioned himself in the hallway to observe the deputies' entry into apartment [redacted], and monitor the deputies in the hallway.

Sergeant Mandujan did not recall which deputies, specifically, made entry into apartment [redacted]. He recalled Deputy [redacted] spoke to Witness [redacted] No deputy was tasked to audio or video record the knock and notice announcements given by the deputies. He did not recall if Deputy Biag provided radio broadcast updates when entry was made into apartment [redacted] or once the apartment was cleared. He explained once entry was made into apartment [redacted] a deputy armed with a firearm and a deputy armed with a less lethal option were to enter the apartment.

Witness [redacted] was located in apartment [redacted] and Sergeant Mandujan believed she did not provide the deputies with a specific apartment number where Suspect McDonald resided. He did not recall seeing Witness [redacted] provide any photographs of Suspect McDonald.

Sergeant Mandujan said after apartment [redacted] was cleared and Suspect McDonald was not located, the deputies focused on clearing the rest of the apartment complex. He said the group moved to the second floor lobby area as the search for Suspect McDonald continued. He telephoned Watch Commander Lieutenant Nash, to provide him with the status of the call. He advised him Suspect McDonald had not been located and the deputies continued to search for the suspect. When Sergeant Mandujan telephoned Lieutenant Nash, he stood in the second floor lobby area. He did not recall if he telephoned the recorded station telephone number, or dialed Lieutenant Nash directly. He estimated the phone call lasted approximately 20 seconds.

Sergeant Mandujan said a deputy obtained information that Suspect McDonald's name was "Alex" and he resided in apartment [redacted] He believed the information came from Deputy Fairbanks who received the information from a woman (Witness [redacted] in an apartment located across and down the hallway from apartment [redacted]

Sergeant Mandujan believed deputies knocked at the door of apartment [redacted] before a potential suspect was detained on the third floor. A few deputies responded up the stairs to the third floor regarding the detention of a possible suspect. Within approximately 10 seconds, information was broadcast on the

Sheriff's radio that the person was not the suspect. He did not recall a field show-up of a potential suspect occurred on the second floor.

Sergeant Mandujan recalled seeing Deputy Fairbanks speak to only one woman in apartment [redacted] He recalled Deputy Fairbanks received information related to a suspect vehicle description from the woman located inside. He said the information was relayed to the deputies searching the parking garage.

Sergeant Mandujan did not remember Deputy Fairbanks bringing a cellular telephone to the deputies standing in the area of apartment [redacted] and showing them a picture of Suspect McDonald. Sergeant Mandujan did not remember having a discussion with a female located in apartment [redacted] He recalled standing in the area, but not specifically walking to the female's apartment to listen to the conversation between her and Deputy Fairbanks.

Deputy Fairbanks spoke to the deputies in the area of apartment [redacted] and [redacted], but he did not hear what was said. He did not recall seeing any people located on the balcony near apartment [redacted] Sergeant Mandujan did not consider having any of the special weapons and equipment located in the sergeant's vehicle, brought to the second floor when the deputies focused on apartment [redacted] He explained the deputies had Stunbag shotguns, OC Spray and a Taser available to them as alternative options.

Sergeant Mandujan said no deputy was assigned to audio or video record the knock and notice announcements at apartment [redacted] He walked to the balcony area and looked into apartment [redacted]s balcony. He could not see inside apartment [redacted] because the shades were drawn and the apartment interior was dark.

Sergeant Mandujan did not consider contacting personnel at the Crisis Negotiation Team (CNT) or the Special Enforcement Bureau (SEB) for guidance, because he did not have information Suspect McDonald was located inside the apartment. If he had known Suspect McDonald was located inside apartment [redacted] with other people, he would have made notifications.

Sergeant Mandujan attempted to telephone Lieutenant Nash a second time, to tell him the suspect had not been located, and the deputies continued to search for the suspect. Once apartment [redacted]'s door opened and the two men exited, a shooting incident occurred. Sergeant Mandujan heard screaming coming from inside apartment [redacted] He and Deputy Valdivia entered the apartment followed by Deputy Fairbanks.

Once inside the apartment, he saw Suspect McDonald and Witness [redacted] struggling on the floor. Suspect McDonald choked Witness [redacted] and attempted to rip Witness [redacted] cheek with his hand. Sergeant Mandujan

believed Suspect McDonald was attempting to kill Witness [redacted] so he directed Deputies Valdivia and Fairbanks to "Shoot him!," indicating Suspect McDonald.

After Sergeant Mandujan told the deputies to shoot Suspect McDonald, Deputy Valdivia began to "stomp" on Suspect McDonald's head with his right foot. He said Deputy Valdivia stood near the suspect's head, and his foot impacted the top rear portion of Suspect McDonald's head. He estimated Deputy Valdivia conducted three or four stomps to Suspect McDonald's head.

Sergeant Mandujan said Deputy Valdivia's stomps had no effect on Suspect McDonald, and he continued to choke Witness [redacted] He saw Deputy Fairbanks kick Suspect McDonald two or three times on the back of his head. He said after Deputy Fairbanks kicked Suspect McDonald, he briefly went limp, which allowed Witness [redacted] to escape his grasp and stand.

Sergeant Mandujan did not see Deputy Valdivia or Deputy Fairbanks perform any punches or use any impact weapons upon Suspect McDonald. He believed Deputy [redacted] assisted Deputy Valdivia in handcuffing Suspect McDonald. Suspect McDonald flailed his legs, and attempted to push himself off the ground. As the deputies handcuffed Suspect McDonald, Sergeant Mandujan multi-tasked, by covering a hallway, which had not been cleared by deputies, and observing the deputies' actions.

Sergeant Mandujan saw a female deputy control Suspect McDonald's legs, but he was not sure if it was Deputy [redacted] or Deputy [redacted] After Suspect McDonald was handcuffed, Deputies Fairbanks, Valdivia and Holloway advised him they had fired their weapons. He did not have an opportunity have any additional force reported to him, because of the amount of activity that occurred after the shooting and use of force incident. He explained the apartment needed to be cleared prior to fire department personnel's arrival.

Sergeant Mandujan became aware of Witness [redacted] when Deputies Fairbanks and Chang located her in a locked bedroom. He assumed they pushed the door in to locate her. Sergeant Mandujan did not observe any deputy use any force upon Witness [redacted] Sergeant Mandujan did not recall if Suspect McDonald was hobbled or TARPed. He said after Suspect McDonald was handcuffed, he continued to stand up, so Deputy Valdivia held him down.

Deputy [redacted] entered the apartment and he took her Stunbag shotgun from her, so she could assist walking Witness [redacted] out of the apartment. He saw Witness [redacted] had been handcuffed, but he did not witness who handcuffed her.

Sergeant Mandujan said Deputy [redacted] also handed him a Stunbag shotgun. He later inspected both of the Stunbag shotguns, and saw one of the Stunbag shotguns had been fired. He saw an expended shell casing in the chamber. He

closed the chamber and left the shell casing in the chamber. He could not determine which Stunbag shotgun belonged to Deputy [redacted] or Deputy [redacted]

Sergeant Mandujan asked Deputy [redacted] if she had fired her Stunbag shotgun, and she replied "no." He then asked if Deputy [redacted] if she had fired her Stunbag shotgun and she replied "no." He asked Deputy [redacted] if she was sure she did not shoot, and she replied "yes." Deputy [redacted] told Sergeant Mandujan, when the deputy involved shooting occurred, she thought to herself, "Well this (indicating the Stunbag shogun) is gonna be useless."

Sergeant Mandujan said when he was at the station, an unknown Homicide detective asked him to have the Stunbag shotguns brought to the station. Sergeant Mandujan recalled Deputy Fairbanks told him he had injured his foot from kicking Suspect McDonald.

Sergeant Mandujan did not audio or video record any portion of the incident. He learned approximately one month prior to his IAB interview, Deputy McCullough had video recorded a portion of the incident.

On January 27, 2016, IAB Sergeant Smeltzer performed a follow-up interview with Sergeant Mandujan at the IAB office building. Attorney Okwuosa from the Green and Shinee law firm was present for the interview.

Sergeant Mandujan said when Deputies Valdivia and Fairbanks kicked Suspect McDonald, he and Witness [redacted] were on the floor. The men laid on their left side and Suspect McDonald appeared to have Witness [redacted] in a "rear negative" choke position. Suspect McDonald had placed his right hand inside of Witness [redacted] mouth, and appeared to be tearing his cheek apart.

Sergeant Mandujan explained a "rear negative" choke hold is essentially a carotid restraint. He explained Deputy Fairbanks' kicks to Suspect McDonald were in quick sequence, with "A very small gap," of time between them. He did not see Deputy Fairbanks deliver two kicks and move away from Suspect McDonald, to carry Witness [redacted] then return to perform the third kick.

Sergeant Mandujan estimated Suspect McDonald lost consciousness for approximately two seconds, after Deputy Fairbanks' third kick. He did not see Deputy Fairbanks or Deputy Valdivia deliver any unnecessary or excessive kicks to Suspect McDonald.

Sergeant Mandujan said when Suspect McDonald regained consciousness, he continued to resist the deputies attempting to handcuff him. He said Suspect McDonald placed "a hand" underneath his body. He was not sure if Suspect McDonald was positioned on his left side, with his arm was located under his body, or if he intentionally placed both hands underneath his body. Sergeant

Mandujan did not see Suspect McDonald with a knife in either of his hands during the incident.

When Witness [redacted] separated from Suspect McDonald, Witness [redacted] "jumped to his feet," and appeared like he wanted to run out of the apartment. It appeared Witness [redacted] saw deputies and decided not to run. Sergeant Mandujan said Witness [redacted] backed toward a sofa, but he did not recall if he remained standing or sat on the sofa. He did not recall seeing Deputy Fairbanks carry or pick up Witness [redacted] A deputy escorted Witness [redacted] out of the apartment, but he did not recall how he was escorted out.

Sergeant Mandujan reviewed his Homicide interview transcript. He explained, when he spoke of Deputy Valdivia delivering stomps to Suspect McDonald, it occurred after Suspect McDonald was handcuffed. He said Suspect McDonald was handcuffed behind his back, and he attempted to stand up. Deputy Valdivia used his foot to push Suspect McDonald to the ground, when Suspect McDonald attempted to stand.

Sergeant Mandujan said the "stomps" were not the same amount of force, as the "stomps" as Deputy Valdivia delivered to Suspect McDonald's head earlier. He said the "stomps" were a control technique, and Deputy Valdivia did not use his foot as an impact weapon once Suspect McDonald was handcuffed. Deputy Valdivia used his foot and body weight, to push down on Suspect McDonald twice to keep him from standing.

Sergeant Mandujan did not recall when Deputy Chang entered the apartment, and he did not observe him use force during the incident.

Sergeant Mandujan reviewed his Homicide interview transcript, and explained he did not know Deputy [redacted] had fired her Stunbag shotgun during the incident. He explained Deputy [redacted] said she was sure she had not fired her Stunbag shotgun. He said Deputy [redacted] was not sure if she had fired her Stunbag shotgun or not.

Sergeant Mandujan said Deputies [redacted] and [redacted] handed him their Stunbag shotguns, while he was located inside of apartment [redacted] but he did not recall when they handed him the Stunbag shotguns. He explained the deputies handed him their Stunbag shotguns, so they could assist with the activities occurring inside of the apartment. He did not recall if they handed him the Stunbag shotguns, so they could assist other deputies handcuffing Suspect McDonald.

When Sergeant Mandujan inspected the Stunbag shotguns, he was located near the apartment's sliding glass door. He performed a chamber check and moved the slide forward on the Stunbag shotgun, to preserve the expended shell inside of the weapon.

Sergeant Mandujan said he did not return the Stunbag shotguns to the deputies and the weapons were placed on couch. He did not recall if the Stunbag shotguns were located inside of the apartment, when he left the location. Sergeant Mandujan was not contacted by a Homicide detective personally regarding the Stunbag shotguns. He believed a Homicide detective contacted the command post regarding having deputy personnel return the Stunbag shotguns to the station. He did not document the Stunbag shotgun numbers after he inspected them.

NON-INVOVLED EMPLOYEE LIEUTENANT WILLIAM NASH

On January 14, 2016, Lieutenant William Nash was interviewed by IAB Sergeant Chad Smeltzer at the West Hollywood Sheriff's Station. Lieutenant Nash chose not to have a representative present during the interview.

Lieutenant Nash said he was assigned as the West Hollywood Sheriff's Station watch commander. After reviewing the West Hollywood Sheriff's Station in-service sheets **[EXHIBIT L]**, he said he worked a 12 hour shift from April 7, 2014, at [redacted] hours until April 8, 2014, [redacted] hours.

Lieutenant Nash had been a lieutenant for approximately six years and had been assigned to West Hollywood Station since, December of 2011. He had been assigned as the West Hollywood Detective Bureau Lieutenant since May of 2015. He and Sergeant Mandujan had worked together since Sergeant Mandujan was assigned to the station.

Lieutenant Nash heard units dispatched to [redacted] Palm Avenue, and he monitored the progress of the call from the station desk area. Sergeant Mandujan responded to the call from a location in the station area. Lieutenant Nash did not recall the amount of time the deputies were at the call, before he heard a deputy involved shooting occurred.

Lieutenant Nash said shortly after he heard a deputy involved shooting occurred, Sergeant Mandujan telephoned him and told him a victim had been shot and the fire department had been requested to respond to the location. Lieutenant Nash told Sergeant Mandujan he would respond to the location.

Lieutenant Nash did not begin Department notifications until he responded to the location, and assessed what had occurred. Upon arriving at the apartment complex, Lieutenant Nash met Sergeant Mandujan, who showed him where the injured people had been located, and he briefly inspected the incident scene. The injured people had been transported to the hospital and a few deputies were still assessing various floors of the apartment complex for "residual damage."

Lieutenant Nash exited the apartment complex, and made a telephone notification to Captain Honings and to Sheriff's Headquarters Bureau (SHB). He said personnel from SHB handled the majority of the Department notifications such as Homicide Bureau.

IAB Note: Sheriff's Headquarters Bureau has been renamed Sheriff's Information Bureau (SIB).

Sergeant Shawn Cohen remained at the station. He did not recall what supervisor was assigned to assume field supervision responsibilities, but he believed a sergeant from Universal Studios responded to the station area. Sergeant Mandujan was busy at the shooting incident. West Hollywood Station was "short on deputies" and for the station to continue handling calls for service, he requested personnel from the Beverly Hills Police Department, and the Marina Del Rey Sheriff's Station to respond and assist West Hollywood Station personnel.

Lieutenant Nash responded to the command post (CP) and remained there for the duration of the incident. He contacted Sergeant Mandujan several times to ensure he received the Department resources he needed to deal with the shooting incident.

Lieutenant Nash did not recall having a telephone conversation with Sergeant Mandujan prior to the shooting incident. He received a telephone call from Sergeant Mandujan after the shooting incident. The conversation was between Sergeant Mandujan's cellular telephone, and his cellular telephone. Lieutenant Nash said he now realized it would be better to capture the telephone conversation on a recorded telephone line, but communicating with cellular telephones was quicker, since everyone had a cellular phone with them.

Note: West Hollywood Station Operations Sergeant Charles Braden advised [EXHIBIT M] no recorded station conversation between Lieutenant Nash and Sergeant Mandujan was located.

Lieutenant Nash did not recall receiving any information of a barricaded suspect or a potential hostage situation, prior to the shooting incident.

Lieutenant Nash had not received any information regarding a deputy at the scene recording a portion of the incident on a personal body camera.

NON-INVOVLED EMPLOYEE DEPUTY LLOYD McCULLOUGH

On January 14, 2016, Deputy Lloyd McCullough was interviewed by IAB Sergeants Chad Smeltzer and Brian Godwin. Attorney Adam Marangell from the Marangell law office was present for the interview.

Deputy McCullough said on April 7, 2014, he was assigned to work alone from [redacted] hours until [redacted] hours as Unit 93T1. Deputy McCullough had not participated in a deposition or testified in court related to the incident.

Deputy McCullough responded to [redacted] in the city of West Hollywood, in response to an assault with a deadly weapon call. Upon his arrival, he placed himself on a rear containment position, located on Larabee Avenue. Deputy McCullough, and Deputies Biag and Zamora arrived at the Larabee Avenue side of the apartment complex at approximately the same time. He said Deputies Biag and Zamora left the location to search for the suspect.

Deputy McCullough said he was located on Larabee Avenue and he was stood near his patrol car. As he was positioned on the street, Witness [redacted] approached him and asked him if the deputies were searching for a male with a knife. Deputy McCullough replied that they were. Witness [redacted] told Deputy McCullough his friend, Witness [redacted] was located inside of an apartment, where a man was stabbing people. He could only describe Witness [redacted] as a male white.

Witness [redacted] handed his cellular telephone to him and said Witness [redacted] was on the telephone. Deputy McCullough spoke to Witness [redacted] who told him she was by herself, lying on the floor of her bedroom inside of apartment [redacted] She described Suspect McDonald had stabbed people inside of the apartment in a different room. He could not provide a time estimate regarding how long he spoke to Witness [redacted] on the telephone.

Deputy McCullough said Witness [redacted] did not provide any other information from his cellular telephone such as text messages, photographs or video files.

Deputy McCullough said the deputies inside the apartment complex had not located Suspect McDonald, so he broadcast for the deputies to check apartment [redacted] He said within seconds of his radio broadcast, he heard Deputy [redacted] saying on the radio shots had been fired. He said the deputies did not hear his radio broadcast information, because they did not respond to him. He believed the deputies were involved in the shooting incident. Deputy McCullough did not hear any gunshots from his location.

Deputy McCullough said he returned the telephone to Witness [redacted] and entered the apartment complex. The entrance was locked, but he was able to "jimmy" the door open. He responded to the area of apartment [redacted] and saw two males on the ground, and he believed Deputy Zamora performed chest compressions on an injured male. Deputy McCullough did not enter apartment [redacted]

Deputy McCullough located Witness [redacted] outside of apartment [redacted] and saw she was handcuffed. He did not know who handcuffed her, but he saw Deputy

[redacted] standing near her. He had Witness [redacted] move away from the area of apartment [redacted] so he could interview her. Deputy McCullough activated his personal body camera and video recorded **[EXHIBIT T]** his interview with Witness [redacted] He did not notify any other Department members he video recorded Witness [redacted]

Deputy McCullough said during the video recording, Witness [redacted] complained her handcuffs were too tight. He loosened her handcuffs and Witness [redacted] thanked him for loosening the handcuffs. She did not complain she had been injured by the handcuffs. He did not use any force against Witness [redacted] and she did not resist his actions of loosening the handcuffs.

Witness [redacted] identified the other occupants inside the apartment as Witness [redacted] Witness [redacted] and a male she did not know (Mr. [redacted] She told Deputy McCullough, Suspect McDonald was the person who stabbed the other males.

Deputy McCullough told Deputy Fairbanks he would write a supplemental report regarding his interview of Witness [redacted] He asked Witness [redacted] if she was willing to go to the West Hollywood Sheriff's Station, so Homicide detectives could speak to her.

IAB Note: Deputy McCullough provided IAB Sergeant Smeltzer a copy of his incomplete supplemental report [EXHIBIT R].

Deputy McCullough agreed to go to the station, but said she needed her purse, cell phone and a jacket. He asked either Deputy [redacted] or Deputy Zamora to retrieve the items Witness [redacted] requested from her apartment.

Deputy McCullough walked Witness [redacted] to his patrol car, unhandcuffed her and transported her to the station. He and Witness [redacted] sat in the report writing room and he began to write a supplemental report regarding his actions and his interview of Witness [redacted] He continued to interview Witness [redacted] for his supplemental report. She told him she had been a hostage in the apartment during the incident.

Deputy McCullough said Witness [redacted] telephoned her mother to tell her what had occurred. She telephoned other people and Deputy McCullough told her she should not speak to anyone else, until she was interviewed by the Homicide detectives.

Deputy McCullough said at 0500 or 0600 hours, Homicide detectives arrived, and he provided them with Witness [redacted] cell phone. Witness [redacted] identified Witness [redacted] and Witness [redacted] as he wrote his supplemental report. He did not recall Witness [redacted] involvement in the incident, because he did not finish his report.

Deputy Fairbanks arrived, and Deputy McCullough told him he was writing a supplemental report. Deputy McCullough said Deputy Fairbanks told him 'Don't worry about it. Homicide's doing it." Based on Deputy Fairbanks statement, Deputy McCullough did not complete his supplemental report.

Deputy McCullough said he did not complete his report, because the handling unit, indicating Deputy Fairbanks, told him Homicide investigators were handling the incident. Deputy McCullough said his understanding of the chain of command was to follow the direction of the "handling unit."

Deputy McCullough did not contact any Homicide detective to advise them of his video recording, because they did not contact him. He said two female Homicide detectives contacted him regarding Witness [redacted] and two other witnesses he was supervising, but they did not ask him about his video recording. Deputy McCullough said once the Homicide detectives took control of the witnesses, he logged his patrol car off and went home.

Deputy McCullough did not book his video into evidence or provide it any Homicide detective, supervisor or crime lab personnel. He believed his video recording of Witness [redacted] interview was important to the Homicide investigation, and was the reason why he started to write a supplemental report.

Deputy McCullough had video recorded many of his traffic stops and interviews since 2007. He said everyone at the station knows he video records his contacts with members of the public. He stores video files on a personal computer at home. He refers to the existence of video files on his Department reports, in case they are needed for court purposes. Deputy McCullough did not know of any policy related to preserving video recorded incidents.

Deputy McCullough provided a copy of his report to a member of County Counsel, who represented the Sheriff's Department related to the incident. He believed he provided a copy of his report in November of 2015. The date of November 18, 2015, was approximately when he faxed a copy of his incomplete report to a member of County Counsel.

Note: Sergeant Martindale advised IAB Sergeant Smeltzer by email [EXHIBIT N] he became aware of Deputy McCullough's incomplete report on September 17, 2015.

Deputy McCullough did not have any additional information related to Witness [redacted] other than what he indicated in his report.

Deputy McCullough brought a newer model of the body camera **[EXHIBIT O]** he used to record Witness [redacted] interview to his IAB interview. The body camera was named Patrol Eyes and costs between $319 and $400. He has had three

different models of the camera since 2007, and the camera has difficulty charging. He would not recommend the Sheriff's Department purchase the body camera for field operations.

Deputy McCullough did not use any force during the incident, nor did he witness any Department members use any force. He was not injured during the incident. He did not video record any portion of the shooting or of any Department members who used force during the incident.

Deputy McCullough viewed the video recording **[EXHIBIT T]** of his interview with Witness [redacted] After viewing the recording, Deputy McCullough said he wore the video camera on his chest attached to his uniform shirt. He said the date and time of the recording were accurate. The format of the date was day, month, and year. The time was set to military time.

Deputy McCullough said Deputy [redacted] was video recorded as he told her he would write a supplemental report. The recording was made near apartment [redacted] and Witness [redacted] was within view of the men injured during the incident.

Deputy McCullough did not recall if CPR was being performed at the time of the recording. He said fire department personnel were present, as the recording was made.

NON-INVOVLED EMPLOYEE DEPUTY ALI TAVAKOLI

On January 16, 2016, Deputy Ali Tavakoli was interviewed by IAB Sergeant Chad Smeltzer at the West Hollywood Sheriff's Station. Deputy Tavakoli chose not to have a representative present during the interview.

Deputy Tavakoli said the date of the shooting incident was his second day assigned to the West Hollywood Sheriff's Station. He reviewed his DDWS **[EXHIBIT P]** and said, "SG4" on his log indicated he was assigned shotgun #4. He said "SB4" indicated he was assigned Stunbag #4. He said if he and his partner, Deputy Biag, had been assigned a Taser for their shift, it would have been indicated in the special equipment area of his DDWS. He did not see Taser documented on his log, and said they were most likely not assigned a Taser for their shift.

Deputy Tavakoli was the deputy who retrieved and inspected their assigned shotgun and Stunbag shotgun for their assigned shift. He also was the deputy who inputted the information regarding the weapons into the DDWS. He estimated he inspected the weapons slightly before 1600 hours on the date of the incident.

Deputy Tavakoli recalled seeing Deputy [redacted] carrying a Stunbag shotgun during the incident on Palm Avenue. He did not know if any other deputy

handled their assigned Stunbag shotgun. He did not recall if they exchanged their Stunbag shotgun with any other deputy during their shift. He did not recall deploying a Stunbag shotgun during the incident.

Deputy Tavakoli did not recall if his assigned Stunbag shotgun was located in his patrol car at the end of his shift, when he removed his equipment from the patrol car.

Deputy Tavakoli said when he arrived at the apartment complex he believed there was planning occurring amongst other deputies. He said since it was his second day at the station, he was unfamiliar with the deputies and was not involved in the planning of the event, due to his limited level of experience. He recalled seeing Deputy Fairbanks, Deputy [redacted] and his training officer, Deputy Biag, when the planning occurred. He did not recall any specific conversation that was discussed.

Deputy Tavakoli also recalled seeing Sergeant Mandujan, but did not recall at what point. He did not observe any disagreements or any actions, which indicated Deputy Fairbanks and Sergeant Mandujan were not getting along.

Deputy Tavakoli did not recall which deputy spoke to the female (Witness [redacted] in front of the apartment complex. He did not know if Witness [redacted] identified the suspect by name, or if she showed any deputies a photograph of the suspect from her cellular phone.

Deputy Tavakoli did not recall being assigned a specific task during the incident on Palm Avenue, but did remember clearing various portions of the building. He said two apartments were entered by deputies during the incident. He explained the first apartment was where an informant (Witness [redacted] was located and the second apartment as where the suspect was located. He only entered the apartment where the suspect was located after all of the injured people had been transported to the hospital and the fire department had left the location. He entered the apartment to have deputies sign the Major Incident Log **[EXHIBIT A, Volume 1, pages 24-28]**.

Deputy Tavakoli did not recall if a female was contacted when deputies entered apartment [redacted] He did not remember if a deputy performed a knock and notice notification at apartment [redacted] He did not know if any deputy audio or video recorded any portion of the incident.

During the incident, Deputy Tavakoli and Deputy Biag searched the apartment parking garage for the suspect. As they searched, he became aware a deputy involved shooting occurred on the second floor. He and Deputy Biag made a tactical approach up a stairwell, to respond to apartment [redacted]

Upon arriving in front of apartment [redacted] Deputy Tavakoli saw Deputy [redacted] performed chest compressions on an injured male. Deputy Tavakoli did not use any force during the incident, nor did he witness any Department personnel use any force during the incident.

Deputy Tavakoli did not know how his assigned Stunbag shotgun was deployed and fired during the incident. He said it was possible he inaccurately documented being assigned a Stunbag shotgun. Deputy Tavakoli said another possibility was a deputy removed his assigned Stunbag shotgun from their patrol car, and used it during the incident. He said his Stunbag shotgun would have been located in the trunk of his patrol car.

NON-INVOVLED EMPLOYEE DEPUTY JOSEPH OBLEA

On January 18, 2016, Deputy Oblea was interviewed by IAB Sergeants Chad Smeltzer and Brian Godwin. Attorney Emily Suhr from the Green and Shinee law office was present for the interview.

Deputy Oblea said on page two of his Homicide interview transcript, when he spoke of when he began to follow other personnel into the apartment complex, he began to follow Deputy Fairbanks and Deputy Valdivia. As he began to follow them, he was toward the rear of the group, and his attention was drawn to Witness [redacted] He said the group of deputies briefly stopped at the doorway to speak to her.

Deputy Oblea was the last deputy in the group and volunteered to stay with and speak to Witness [redacted] He explained he and Witness [redacted] moved away from the apartment complex doorway toward the sidewalk in front of the building. He said the deputies continued into the apartment complex. He did not recall Deputy Fairbanks speaking to Witness [redacted] Deputy Oblea did not recall seeing any planning occurring between the deputies. He did not recall seeing Sergeant Mandujan present with the other deputies.

As Deputy Oblea spoke to Witness [redacted] she text messaged her roommate, Witness [redacted] Deputy Oblea said Witness [redacted] did not receive any text messages from Witness [redacted] He said Witness [redacted] did not pay attention to him as she typed the text messages.

Witness [redacted] told Deputy Oblea initially, she did not know who the suspect with the knife was, but as he spoke with her for approximately two to three minutes, she identified the suspect as "Alex McDonald." She said he possibly lived in apartment [redacted] She also provided a physical description of Suspect McDonald. He said no other deputies were with them as they spoke. Deputy Oblea initiated a crime broadcast on the West Hollywood Station dispatch frequency with the information Witness [redacted] provided him.

Deputy Oblea said Witness [redacted] did not show him any photographs of Suspect McDonald from her cellular phone. Witness [redacted] did not tell him if the Suspect McDonald had a backpack or if he appeared under the influence of any substances. He did not recall Witness [redacted] providing any deputy with a key to her apartment. Deputy Oblea did not recall an apartment manager speaking with deputies, so the deputies could gain entry into any apartment.

Deputy Oblea said Witness [redacted] remained with him from the time he arrived, until he became aware deputies had been involved in a shooting incident. He was located on the Palm Avenue side of the apartment complex when he heard gunshots. When he heard the gunshots, he was near his patrol car, which was located in the center of Palm Avenue.

Deputy Oblea said he did not broadcast any information related to the deputy involved shooting when he became aware of the shooting incident. When deputy Oblea reviewed a portion of the transcript of radio traffic **[EXHIBIT A, Volume VI, pages 15-16]**, he recalled requesting medical attention.

Deputy Oblea explained he stood between 100 and 200 feet away from where the shooting occurred. He could not see inside of the building where the shooting occurred, but he heard screaming followed by gunshots.

Deputy Oblea explained he used the scan feature on his portable radio, so he could monitor the dispatch frequency and the L-Tac frequency. He heard a deputy speaking on the L-Tac frequency regarding someone bleeding. Since Deputy Oblea heard several gunshots, and a deputy talking about someone bleeding, he assumed a person had been struck by the gunfire. He requested fire department personnel respond to the location and stage on Santa Monica Boulevard and Palm Avenue.

Deputy Oblea requested the fire department personnel stage at a closer location, of Cynthia Street and Palm Avenue, because the fire station was located at San Vicente Boulevard. He explained the fire department personnel could turn left on Cynthia Street from San Vicente, and would have been able to stage closer to the apartment building.

Deputy Oblea moved several patrol cars out of the center of Palm Avenue, so the fire department personnel would not have any problems responding.

Deputy Oblea did not use any force during the incident, nor did he witness and Department personnel use force. He was not injured during the incident.

NON-INVOVLED EMPLOYEE DEPUTY ARTHUR BIAG

On January 20, 2016, Deputy Arthur Biag was interviewed by IAB Sergeant Chad Smeltzer at the IAB office building. Attorney Maureen Okwuosa from the law firm of Green and Shinee was present for the interview.

Deputy Biag said at the time of the incident, he had been a training officer since approximately 2006. He had not participated in a deposition or testified in court, related to the incident.

Deputy Biag reviewed his DDWS **[EXHIBIT P]** and said "SG4" documented on the special equipment portion of his log indicated he and Deputy Tavakoli had been assigned shotgun #4 for their shift. He said "SB4" indicated they had been assigned Stunbag #4. He said Deputy Tavakoli created the DDWS for the shift and it was his second day assigned to West Hollywood Station as a trainee. If they had been assigned a Taser, it should have been indicated in the same area of the log. He did not recall if they had been assigned a Taser for their shift. Deputy Biag said Deputy Tavakoli checked out their assigned shotgun and Stunbag shotgun, from the armory.

Deputy Biag said Deputy Tavakoli inspected the shotgun and Stunbag shotgun on the date of this incident. Deputy Tavakoli did not perform the weapons inspection in the presence of Deputy Biag. He did not have a recollection of performing a check of the weapons after Deputy Tavakoli performed the inspection.

Deputy Biag said Deputy Tavakoli would have performed the weapons inspections before the start of their shift, which was 1600 hours. Deputy Biag did not handle their Stunbag shotgun as the deputies were involved with the call at [redacted] Palm Avenue. He did not know if another deputy removed their assigned Stunbag shotgun from their patrol car. He did not recall if their assigned Stunbag shotgun was located in their patrol car at the conclusion of the shift.

Deputy Biag said when he and Deputy Tavakoli arrived at the apartment complex, he saw Deputy Oblea speaking to a female (Witness [redacted] in front of the apartment complex. He did not speak to Witness [redacted] He recalled Deputies Fairbanks, Valdivia, Holloway, Tavakoli, [redacted] and himself, were present at the front of the apartment complex. He said did not recall if the deputies formed a plan prior to entering the apartment complex.

Deputy Biag did not recall if any deputy was assigned as a designated shooter, to carry a Taser, or assigned to handle radio communications. He recalled Deputy [redacted] and Deputy [redacted] were armed with Stunbag shotguns. He did not recall if a Department member had assigned them to carry the Stunbag shotguns. He did not recall if a deputy was assigned to be an arrest deputy or

there was a discussion related to carrying some of the special weapons or equipment located in the sergeant vehicle.

Deputy Biag said Sergeant Mandujan was present in front of the apartment complex. He did not recall Sergeant Mandujan giving any direction and he did not observe any conflicting orders from Deputy Fairbanks and Sergeant Mandujan.

Deputy Biag and Deputy Tavakoli travelled to the second floor of the apartment complex in the elevator. He did not recall who else was in the elevator with them. He said the deputies approached apartment [redacted] and deputies positioned themselves on both sides of the apartment door. He said knock and notice announcements were made at apartment [redacted]s door. He did not recall who made the announcements. He explained the deputies had a key to the apartment, but he did not recall who had the key and how the apartment door was opened. He said the door was not forced open. He believed he, Deputy Tavakoli and Deputy Valdivia entered the apartment.

Deputy Biag recalled at least one female (Witness [redacted] was located inside of apartment [redacted] He spoke to Witness [redacted] and said she was "amped up" and nervous. She could not answer questions such as what had happened, who the suspect was and where the suspect was located. Eventually, Witness [redacted] told the deputies the suspect was named "Alex." He said Witness [redacted] did not show him any information from her cell phone.

He said Deputy Fairbanks communicated to West Hollywood Station desk personnel on the radio, while they were at apartment [redacted] Deputy Biag did not make a radio broadcast while he was at apartment [redacted]

Deputy Biag said Deputy Fairbanks assigned him and Deputy Tavakoli to search the apartment parking garage for the suspect. While he and Deputy Tavakoli were located in the parking garage, he heard muffled yelling followed by at least two gunshots. He and Deputy Tavakoli made a tactical approach up the stairwell to the second floor.

Deputy Biag eventually entered apartment [redacted] after the incident concluded, to ensure no one was located inside and to ensure the scene was preserved. He did not witness any Department members use any force during the incident and he did not use any force. He was not injured during the incident.

Deputy Biag did not observe a handcuffed female standing outside of apartment [redacted] He did not know if a Department member used his and Deputy Tavakoli's Stunbag shotgun during the incident.

NON-INVOVLED EMPLOYEE SERGEANT FRANCOIS CHANG

On January 20, 2016, Sergeant Francois Chang was interviewed by IAB Sergeant Chad Smeltzer at the IAB office building. Attorney Emily Suhr from the law firm of Green and Shinee was present for the interview.

Note: Sergeant Chang was a deputy at the time of the incident. On July 13, 2014, he was promoted to the rank of sergeant.

Sergeant Chang said when he responded to [redacted] Palm Avenue, he did not see a female (Witness [redacted] in front of the apartment complex. He saw other deputies gathering in front of the apartment complex and Deputy Fairbanks appeared to be forming a plan with the other deputies as to how the call would be handled. He did not hear Deputy Fairbanks assign specific tasks to other deputies, because he arrived as the planning discussion ended.

Sergeant Chang did not recall seeing a sergeant present in front of the apartment complex. He estimated from when he arrived at the apartment complex, until the deputies began to move into the apartment complex, one and a half minutes had passed.

Sergeant Chang walked up the stairwell to the second floor. Deputy Fairbanks assigned him and Deputy Zamora to search for the suspect on other floors of the complex. He and Deputy Zamora, walked up the stairwell to clear the third floor. Once on the third floor, they searched the hallway toward the west side of the building. As he and Deputy Zamora reached the west end of the hallway, he saw Deputy McCullough outside of the building, containing the west side of the building.

Sergeant Chang said as he and Deputy Zamora climbed the stairwell from the third floor to the fourth floor, he heard Deputy [redacted] broadcast on the L-Tac frequency requesting the fire department, and that there was a lot of blood. He did not hear any gunshots.

Sergeant Chang ran to apartment [redacted] Upon arriving, he saw Deputy [redacted] attended to an injured male outside of the apartment in the hallway. Deputy [redacted] told him the suspect was inside of the apartment. Sergeant Chang entered the apartment and saw Deputies Fairbanks and Valdivia and Sergeant Mandujan inside of the apartment living room.

Sergeant Chang said Suspect McDonald was located in the center of the room on the floor and the other male (Witness [redacted] was standing on top of the couch. He believed Witness [redacted] moved to the couch on his own, and was not lifted by a deputy and placed on the couch. He explained, as he entered the living room, he did not know who was a suspect. He heard "a lot of commands" being given, but he did not recall what was said. He did not believe Suspect

McDonald had been handcuffed. He believed there may have been a brief "struggle" to handcuff Suspect McDonald. Sergeant Chang did not witness deputies separate Suspect McDonald and Witness [redacted] from fighting.

Sergeant Chang stated when he said the word "struggle" during his deposition, he presumed there could have been a brief struggle between Witness [redacted] and Suspect McDonald. He further explained when he used the word "struggling" during his Homicide interview, when explaining the handcuffing of Suspect McDonald, he referred to positioning of Suspect McDonald on the ground. He said other factors which could have caused the deputies to struggle or could have created difficulty with the handcuffing was sweat or blood on the bodies of the people involved, which could have been slippery.

Sergeant Chang said when he said words such as "struggle" and "difficult," to describe the handcuffing procedure, the words were not necessarily a reflection of Suspect McDonald's actions. The verbal commands he heard the deputies give to Suspect McDonald, did not mean Suspect McDonald resisted the deputies' actions. He explained a deputy could give a person multiple verbal commands, because the person may not understand the deputy, or the person could be under the influence of alcohol or a drug. He said there was not a language barrier issue in this incident.

Sergeant Chang did not witness Suspect McDonald resisting Deputy Fairbanks' and Deputy Valdivia's handcuffing. He did not see who placed the handcuffs on Suspect McDonald's wrists. He did not observe Deputy [redacted] or Deputy [redacted] assist with handcuffing Suspect McDonald. Sergeant Chang did not observe any deputy kick, punch, or use any control techniques as Suspect McDonald was handcuffed.

Sergeant Chang focused on Witness [redacted] as he stood on the couch massaging his neck. He did not observe the handcuffing of Suspect McDonald, because he was focused on his handgun's sights, as he aimed at Witness [redacted] He was not sure if Witness [redacted] was a suspect.

Sergeant Chang said he did not look to the floor area, where Suspect McDonald was located. He did not remember if Suspect McDonald kicked his legs, while he was on the floor.

Sergeant Chang did not hear Sergeant Mandujan give any commands or guidance in the living room. He did not hear anyone say "shoot him."

Sergeant Chang reviewed his DDWS **[EXHIBIT Q]** and said "SG2" indicated he was assigned shotgun #2 for his shift. It appeared he did not have a Taser assigned for his shift.

Sergeant Chang saw a female (Witness [redacted] who had been located inside of apartment [redacted] He did not witness any deputy use any force upon her and he did not recall seeing her handcuffed during the incident. He did not know if Witness [redacted] was asked to identify any of the injured people during this incident.

Sergeant Chang said he recently discovered through "county attorneys," that Deputy McCullough video recorded a portion of the incident. Sergeant Chang was not injured during the incident.

NON EMPLOYEE WITNESS [redacted]

On January 22, 2016, IAB Sergeant Chad Smeltzer conducted a telephone interview with [redacted] Witness [redacted] did not witness the shooting incident. Witness [redacted] said he stood on the balcony as deputies responded to the incident. Witness [redacted] video recorded the deputies response, and he no longer has copies of the videos. He was inside of his apartment (#[redacted]) at the time of the shooting.

ADDITIONAL INFORMATION

On January 27, 2016, IAB Sergeant Chad Smeltzer attempted to interview Suspect McDonald regarding the incident. Suspect McDonald refused to participate **[Job #49005]**.

On January 19, 2016, IAB Sergeant Smeltzer received an email **[EXHIBIT S]** from West Hollywood Sheriff's Station Operations Sergeant Charles Braden. Sergeant Braden stated West Hollywood Sheriff's Station does not document equipment checked out by deputies from the station armory. He also stated, the Tour of Duty Equipment Reports, were retained for six months and no longer exist.

Witness [redacted] currently resides in [redacted] Attempts to contact him related to the incident, were unsuccessful.

On January 30, 2016, IAB Sergeant Smeltzer drove to Witness [redacted] residence in the city of [redacted] and attempted to interview him. Witness [redacted] refused to participate in an interview. He stated all communications related to the investigation must occur through his attorney.

Witness [redacted] created six short video **[EXHIBIT X]** files from the apartment's second floor balcony, prior to the shooting incident.

Homicide detectives Laren and Healy video recorded **[EXHIBIT Y]** their interviews with Witnesses [redacted] and [redacted]

IAB Lieutenant David Flores checked to see that the Watch Commander, Lieutenant William Nash, took reasonable steps to ensure that the involved parties and witnesses did not discuss the incident amongst themselves or with uninvolved persons prior to being interviewed by the assigned investigators. Lieutenant Flores also ensured that Lieutenant Nash knew that the aforementioned parties should not collectively consult with their attorney or representative. In addition, Lieutenant Flores checked to see if Lieutenant Nash attempted to have the involved parties and witness personnel gather in the company of a supervisor until they provided a statement to the assigned investigators.

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date: 01/29/2016	Bureau/Station/Facility: North Patrol / West Hollywood Station	Admin. Invest.? ☐	Hit? ☑

Incident Information

URN: 014-01753-0977-013	Date: 04-07-2014		Time: 2130 hours
City or Station: West Hollywood	Nature of Incident: Deputies responded to a man with a knife call. Two victims exited an apartment rapidly and were mistaken as suspects and shot.		
Location: [redacted] Palm Avenue, West Hollywood			

Location Type (check one or more):
- ☐ Backyard
- ☐ Beach
- ☐ Business
- ☐ Freeway
- ☐ Industrial
- ☐ Park
- ☐ Parking Lot
- ☑ Residence
- ☐ Rural
- ☐ School
- ☐ Street
- Other:

Lighting (check only one):
- ☑ Darkness
- ☐ Daylight
- ☐ Other
- ☐ Street Lights

Weather (circle only one):
- ☑ Clear
- ☐ Cloudy
- ☐ Fog
- ☐ Rain

Distance: 5-10'

Incident Type (check one or more):
- ☑ Accidental
- ☐ Armed Person
- ☐ Fleeing Suspect
- ☐ Foot Pursuit
- ☐ Gun Take Away
- ☐ Moving Vehicle
- ☐ Sniper/Ambush
- ☐ Startle
- ☑ Struggle Involved
- ☐ Traffic Stop
- ☑ Unarmed Person
- ☐ Unintentional
- ☐ Vehicle Pursuit
- ☐ Warrant Service
- ☐ Warning Shot
- Other:

Initiated by (check only one):
- ☐ Arrest Warrant
- ☑ Call
- ☐ Observation
- ☐ One Person Unit
- ☐ Other
- ☐ Search Warrant
- ☐ Two Person Unit

Prior Activity (check only one):
- ☐ Detective
- ☐ Inmate Transport
- ☐ Other
- ☑ Routine Patrol

Aero Unit? ☑ Canine Unit? ☐

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
4	0

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (check only one)	ShiftType (check only one)
[redacted]	Mandujan	Enrique	--	☑ EM ☐ PM ☐ Day	☑ Regular ☐ Overtime ☐ Off Duty
[redacted]	[redacted]	[redacted]	--	☐ EM ☑ PM ☐ Day	☑ Regular ☐ Overtime ☐ Off Duty
[redacted]	[redacted]	[redacted]	--	☑ EM ☐ PM ☐ Day	☑ Regular ☐ Overtime ☐ Off Duty

Non-Employee Witnesses

Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph

Supervisors

Employee #	Last Name	First Name	M.I.	(check one or more)
[redacted]	Mandujan	Enrique	-	☑ On Duty ☑ Present during shooting ☑ Witness to shooting ☐ Involved in shooting
				☐ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Cohen	Shawn	D.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Nash	William	G.

PSTD Use Only
SH # 2353685

Officer Involved Shooting

URN: 014-01753-0977-013

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
04/07/2014	2345 hours	01/29/2016	

Employee #	Last Name	First Name	M.I.
[redacted]	Flores	David	-
[redacted]	Bracken	Sonja	M.
[redacted]	Fleischmann	Joseph	N.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	HR						
S#1	E#1	UC						
E#1	S#1	FH	SW	9	Y	Y	GS	LE
S#1	E#2	HR						
S#1	E#2	UC						
S#1	E#3	HR						
S#1	E#3	UC						
E#3	S#1	FH	BR	9	Y	Y	GS	LE
S#2	E#1	HR						
S#2	E#1	UC						
E#1	S#2	FH	SW	9	Y	Y	GS	AR/CH
S#2	E#2	HR						
S#2	E#2	UC						
E#2	S#2	FH	SW	9	Y	Y	GS	CH
S#2	E#3	HR						
S#2	E#3	UC						
E#3	S#2	FH	BR	9	Y	Y	GS	AR/CH

Officer Involved Shooting
Involved Employee Information

URN: 014-01753-0977-013

Involved Employee

E 1

Field	Value
Employee #	[redacted]
Last Name	Fairbanks
First Name	Michael
M.I.	A.
Sex	M
Race	W
Rank	Bonus-1
Unit Assignment	West Hollywood
Work Assignment (Unit #, Module, etc.)	Unit #92A
ShiftTime (*circle only one*)	[x] EM [ ] PM [ ] Day
ShiftType (*circle only one*)	[x] Regular [ ] Overtime [ ] Off Duty
Intoxication/Drug Usage?	[ ]
Substance Used	N/A
Hospital Admission?	[ ]
Hospital Name	N/A
Coroner Case?	[ ]
Coroner Case #	N/A
Interviewed?	[x]
Hrs of sleep prior to shooting	6-8 hours
Duty Time (hrs)	[redacted]
Clothing (*circle only one*)	[ ] Plain Clothes no Vest [ ] Raid Jacket w/ Vest [ ] Plain Clothes w/ Vest [ ] Uniform no Vest [ ] Raid Jacket no Vest [x] Uniform w/ Vest
Other Factors	
Age	[redacted]
Height	602
Weight	270
Range Qualification Date	[redacted]
PPC Qualification Date	[redacted]
Laser Training Date	[redacted]
Certified with Weapon Used?	[redacted]
Patrol Certification?	[redacted]
Certification Unit	[redacted]
Prior Shootings?	[redacted]
Number of Prior Shootings	[redacted]
Directed Force	[ ]
Weapons Fired Brand	Smith & Wesson
Caliber	9mm
# Shots	2
Weapons Fired Brand	
Caliber	
# Shots	
Field Training Officer Emp #	[redacted]
Last Name	[redacted]
First Name	[redacted]
M.I.	-
Field Training Officer Emp #	[redacted]
Last Name	[redacted]
First Name	[redacted]
M.I.	-

E 2

Field	Value
Employee #	[redacted]
Last Name	Valdivia
First Name	Gerardo
M.I.	-
Sex	M
Race	H
Rank	Deputy
Unit Assignment	West Hollywood
Work Assignment (Unit #, Module, etc.)	Unit #93A
ShiftTime (*circle only one*)	[ ] EM [ ] PM [ ] Day
ShiftType (*circle only one*)	[x] Regular [ ] Overtime [ ] Off Duty
Intoxication/Drug Usage?	[ ]
Substance Used	N/A
Hospital Admission?	[ ]
Hospital Name	N/A
Coroner Case?	[ ]
Coroner Case #	N/A
Interviewed?	[x]
Hrs of sleep prior to shooting	8 hours
Duty Time (hrs)	[redacted]
Clothing (*circle only one*)	[ ] Plain Clothes no Vest [ ] Raid Jacket w/ Vest [ ] Plain Clothes w/ Vest [ ] Uniform no Vest [ ] Raid Jacket no Vest [x] Uniform w/ Vest
Other Factors	
Age	[redacted]
Height	511
Weight	200
Range Qualification Date	[redacted]
PPC Qualification Date	[redacted]
Laser Training Date	[redacted]
Certified with Weapon Used?	[redacted]
Patrol Certification?	[redacted]
Certification Unit	[redacted]
Prior Shootings?	[redacted]
Number of Prior Shootings	[redacted]
Directed Force	[ ]
Weapons Fired Brand	Smith & Wesson
Caliber	9mm
# Shots	1
Weapons Fired Brand	
Caliber	
# Shots	
Field Training Officer Emp #	[redacted]
Last Name	[redacted]
First Name	[redacted]
M.I.	[redacted]
Field Training Officer Emp #	[redacted]
Last Name	[redacted]
First Name	[redacted]
M.I.	-

E 3

Field	Value
Employee #	[redacted]
Last Name	Holloway
First Name	Byron
M.I.	G.
Sex	M
Race	B
Rank	Deputy
Unit Assignment	West Hollywood
Work Assignment (Unit #, Module, etc.)	Unit #94A
ShiftTime (*circle only one*)	[ ] EM [ ] PM [ ] Day
ShiftType (*circle only one*)	[x] Regular [ ] Overtime [ ] Off Duty
Intoxication/Drug Usage?	[ ]
Substance Used	N/A
Hospital Admission?	[ ]
Hospital Name	N/A
Coroner Case?	[ ]
Coroner Case #	N/A
Interviewed?	[x]
Hrs of sleep prior to shooting	7-8 hours
Duty Time (hrs)	[redacted]
Clothing (*circle only one*)	[ ] Plain Clothes no Vest [ ] Raid Jacket w/ Vest [ ] Plain Clothes w/ Vest [ ] Uniform no Vest [ ] Raid Jacket no Vest [x] Uniform w/ Vest
Other Factors	
Age	[redacted]
Height	600
Weight	185
Range Qualification Date	[redacted]
PPC Qualification Date	[redacted]
Laser Training Date	[redacted]
Certified with Weapon Used?	[redacted]
Patrol Certification?	[redacted]
Certification Unit	[redacted]
Prior Shootings?	[redacted]
Number of Prior Shootings	[redacted]
Directed Force	[ ]
Weapons Fired Brand	Beretta
Caliber	9mm
# Shots	1
Weapons Fired Brand	
Caliber	
# Shots	
Field Training Officer Emp #	[redacted]
Last Name	[redacted]
First Name	[redacted]
M.I.	[redacted]
Field Training Officer Emp #	[redacted]
Last Name	[redacted]
First Name	[redacted]
M.I.	[redacted]

See Other Side

Officer Involved Shooting
Suspect Information

URN: 014-01753-0977-013

Suspect Information

S 1

Last Name: [redacted]		First Name: [redacted]	M.I.
AKA Last Name		First Name	M.I.
Sex: M Race: White	Street Address: Deceased	City	State & Zip Code:
Work Phone: N/A	Home Phone: N/A	Social Security #: unknown	Driver's License #: unknown
Age: 30 D.O.B. [redacted]	Height: 509 Weight: 184	FBI #: N/A	CII #: N/A
Booking #: N/A	Primary Charge: N/A	Secondary Charge: N/A	
Coroner Case? ☑	Coroner Case #: 2014-0247	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make: Model:	Year: Parole:	Probation:	Prior Felony Conviction:

S 2

Last Name: [redacted]		First Name: [redacted]	M.I. [redacted]
AKA Last Name		First Name	M.I.
Sex: M Race: White	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: N/A	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 28 D.O.B. [redacted]	Height: 603 Weight: 220	FBI #: N/A	CII #: N/A
Booking #: N/A	Primary Charge: N/A	Secondary Charge: N/A	
Coroner Case? ☐	Coroner Case #: N/A	Intoxication/Drug Usage? ☐	Substance Used: N/A
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make: Model:	Year: Parole:	Probation:	Prior Felony Conviction:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make: Model:	Year: Parole:	Probation:	Prior Felony Conviction:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make: Model:	Year: Parole:	Probation:	Prior Felony Conviction:

See Other Side